



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **INTERIM DECISION**

### Dispute Codes

AAT

### Introduction

This hearing was scheduled in response to the tenant's Application for Dispute Resolution, in which the tenant has requested an order allowing access to or from the unit for the tenant or the tenant's guests.

### Preliminary Matters

The hearing was to commence on this date at 10:30 a.m. via a conference call system. When I attempted to enter the hearing technical issues were encountered, prohibiting me from entering the hearing. After considerable time waiting for the conference call service provider to respond I was able to enter the hearing at approximately 11:07 a.m. Very shortly afterward the tenant entered the hearing and explained he had been having difficulty entering the hearing.

The conference call service provider technician was unable to establish whether the landlord had attempted to enter the hearing.

The tenant was affirmed and submissions were accepted on service of the hearing documents related to this application made on September 08, 2017.

The tenant submitted a copy of a Canada Post registered mail record indicating the landlord had accepted registered mail from the tenant on September 23, 2017. The tenant said that package included the hearing documents and one page of photographs.

The landlord has responded with a one page evidence submission made on October 12, 2017, which the tenant said he did not receive. That submission included a current postal box mailing address and phone number for the landlord.

The objective of the Residential Tenancy Rules of Procedure is to ensure a fair, efficient and consistent process for resolving disputes for landlords and tenants. A fair process includes the right of each party to be heard. As I was unable to establish whether the landlord had experienced difficulties entering the hearing and abandoned attempts, I have determined that the hearing must be adjourned in order to allow each party to be heard and to avoid any potential prejudice.

Notices of Hearing are included with this interim decision. It is important to note the dialing instructions contained in that Notice. The hearing will reconvene at **9:00 a.m. on October 25, 2017.**

Section 3.14 of the Rules of Procedure require an applicant to submit and serve evidence no later than fourteen days before a hearing. Section 3.15 requires a respondent to serve the applicant with any evidence no later than 7 days before the hearing. The tenant provided a service address on the application for dispute resolution.

Therefore, as the service date time limits have both passed I find that no further written submission will be accepted from either party.

#### Conclusion

The hearing is adjourned to October 25, 2017, at 9:00 a.m.

This interim decision is binding and made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October 18, 2017

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Residential Tenancy Branch