



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes LRE, ERP, OLC, PSF, RR, FF

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed December 2, 2017, wherein the Tenant sought the following orders:

- An Order that the Landlord:
 - be restricted in terms of their right to entry to the rental unit;
 - make emergency repairs;
 - comply with the *Residential Tenancy Act*, the *Residential Tenancy Regulation*, or the tenancy agreement; and,
 - provide services or facilities required by law;
- an Order allowing the Tenant to deduct the cost of repairs, services or facilities from the rent; and,
- recovery of the filing fee.

This matter was set for hearing by telephone conference call at 9:00 on February 19, 2018. The Landlord and her daughter called into the hearing. The applicant Tenant did not call in. I waited until 13 minutes past the start of the scheduled hearing time in order to enable both parties to connect with this teleconference hearing.

Rule 7 of the Rules of Procedure provides that:

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

7.2 Delay in the start of a hearing

In the event of a delay of a start of a conference call hearing, each party must stay available on the line to commence the hearing for 30 minutes after the time scheduled for the start of the hearing.

In the event of a delay of a face-to-face hearing, unless otherwise advised, the parties must remain available to commence the hearing at the hearing location for 30 minutes after the time scheduled for the start of the hearing.

7.3 Consequences of not attending the hearing

If a party or their agent fails to attend the hearing, the arbitrator may conduct the dispute resolution hearing in the absence of that party, or dismiss the application, with or without leave to re-apply.

7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent.

If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

As the Applicant Tenant did not call into the hearing by 9:13 a.m., and the Respondent Landlord called in and was ready to proceed, I dismiss the Applicant's claim without leave to reapply.

This Decision is 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: February 19, 2018

Residential Tenancy Branch