



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDCT, AAT, LAT, LRE, OLC, OPT, PSF

Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied for:

- an Order requiring the Landlord to comply with the Residential Tenancy Act (*Act*) or the tenancy agreement;
- an Order requiring the Landlord to provide access to the rental unit;
- an Order requiring the Landlord to provide services or facilities;
- an Order of Possession;
- an Order suspending or setting conditions on the Landlord's right to enter the rental unit;
- authority to change the locks; and
- a monetary Order in the amount of \$24,000.00.

The Landlord with the initials "RS" stated that on May 06, 2018 the Application for Dispute Resolution and the Notice of Hearing was slipped into the door jamb of his residence.

The Landlord with the initials "JS" stated that the Application for Dispute Resolution and the Notice of Hearing were provided to him by the Landlord with the initials "RS".

As both parties acknowledge receipt of the aforementioned documents, I find that they have been sufficiently served to the Landlords, pursuant to section 71(2)(c) of the *Act*.

Preliminary Matter

Legal Counsel for the Landlord stated that the surname of the Landlords is not spelled correctly on the Application for Dispute Resolution.

As the Tenant did not attend the hearing, I am unable to amend the Application for Dispute Resolution to correct the spelling of those surnames.

In regards to any future proceedings involving this tenancy, the Tenant is prohibited from filing another Application for Dispute Resolution in regards to the issues in dispute at these proceedings, regardless of whether he identifies the Landlords by the spelling he provided in his Application or whether he identifies the Landlords by the spelling they provided at the hearing.

Issue(s) to be Decided

Is there a need to issue an Order requiring the Landlord to provide access to the rental unit; an Order requiring the Landlord to provide services or facilities; and/or an Order suspending or setting conditions on the Landlord's right to enter the rental unit?

Is the Tenant entitled to an Order of Possession?

Is the Tenant entitled to compensation for being denied access to the unit?

Should the Tenant be granted authority to change the locks?

Background and Evidence

The teleconference hearing was scheduled to begin at 10:30 a.m. on this date. The Landlords attended the hearing at the scheduled start time.

By the time the teleconference was terminated, at 10:41 a.m., the Tenant had not appeared.

The Landlord with the initials "RS" stated that the rental unit is currently vacant.

Analysis

I find that the Tenant failed to diligently pursue the Application for Dispute Resolution and I therefore dismiss the Application, without leave to reapply.

Conclusion

The Tenant's Application for Dispute Resolution is dismissed, 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: June 07, 2018

Residential Tenancy Branch