



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

matter regarding JESSE'S ENTERPRISES LTD and [tenant name
suppressed to protect privacy]

DECISION

Dispute Codes **CNR ERP LRE PSF RP FFT**

Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* ("the Act") for the following:

- An order to cancel a 10 Day Notice for Unpaid Rent or Utilities ("Ten-Day Notice") pursuant to section 46;
- An order for the landlord to carry out emergency repairs pursuant to section 62;
- An order to suspend or restrict the landlord's right to enter under section 70;
- An order to provide services or facilities required by the tenancy agreement or law pursuant to section 61;
- An order for the landlord to carry out regular repairs pursuant to section 32;
- Reimbursement of the filing fee pursuant to section 72.

This matter was set for hearing by telephone conference. The landlord attended the hearing. The landlord had full opportunity to provide affirmed testimony, present evidence, and make submissions.

The tenant did not attend the hearing. I kept the teleconference line open from the scheduled hearing time for ten minutes to allow the tenant the opportunity to call. The teleconference system indicated only the landlord and I had called into the hearing. I confirmed the tenant was provided with the correct participant code.

Issue(s) to be Decided

Is the tenant entitled to:

- An order to cancel a 10 Day Notice for Unpaid Rent or Utilities (“Ten-Day Notice”) pursuant to section 46;
- An order for the landlord to carry out emergency repairs pursuant to section 62;
- An order to suspend or restrict the landlord’s right to enter under section 70;
- An order to provide services or facilities required by the tenancy agreement or law pursuant to section 61;
- An order for the landlord to carry out regular repairs pursuant to section 32;
- Reimbursement of the filing fee pursuant to section 72.

Conclusion

Rule 7.3 of the Rules of Procedure provides as follows:

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 reapply.*

As the applicant did not attend the hearing and in the absence of any evidence or submissions, I order the application dismissed without leave to reapply. Leave to reapply does not constitute an extension of any applicable time limit.

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: March 18, 2019

Residential Tenancy Branch