



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, OLC, PSF

Introduction

The tenants sought various remedies under the *Residential Tenancy Act* (the “Act”):

1. an order for the landlord to comply with the Act, the *Residential Tenancy Regulation*, or the tenancy agreement, pursuant to section 62 of the Act;
2. an order for the landlord to provide services or facilities required by the tenancy agreement or the law, pursuant to section 62 of the Act; and,
3. an order for emergency repairs, pursuant to sections 32 and 62(3) of the Act.

The tenants applied for dispute resolution on March 27, 2019 and a dispute resolution hearing was held on May 14, 2019.

I note that it appeared only one of the tenants (C.) brought the application, and simply added the other tenant (T.S.)—who appears to reside in a separate rental unit in the same property. However, I have left the style of cause as it appeared in tenant C.’s application; this does not preclude tenant T.S. from any remedies that she may be entitled to under the Act, however.

Preliminary Issue: Non-Attendance of Tenants

The hearing began at 9:30 AM and only the landlord attended. After waiting for the tenants for the required ten minutes, neither of whom dialed into the teleconference, I ended the hearing at 9:40 AM.

The standard of proof in a dispute resolution hearing is on a balance of probabilities, which means that it is more likely than not that the facts occurred as claimed. The onus to prove their case is on the person making the claim.

As the tenant(s) failed to attend the hearing and prove his case, I dismiss the application without leave to reapply.

Conclusion

I hereby dismiss the tenants' application without leave to reapply.

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

Dated: May 14, 2019

Residential Tenancy Branch