



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, MNRT, PSF
 OLC

Introduction

This teleconference hearing was scheduled in response to applications by the Tenants under the *Residential Tenancy Act* (the “*Act*”). The Tenants’ applications were scheduled to be heard together. The Tenants applied for monetary compensation, for compensation for money spent on emergency repairs, and for services or facilities to be provided as required by the tenancy agreement or law. The Tenants’ second application was for an Order for the Landlord to comply with the *Act*, *Residential Tenancy Regulation* and/or tenancy agreement.

An agent for the Landlord (the “Agent”) was present for the teleconference hearing while no one called in for the Tenants during the approximately 12-minute duration of the hearing. The Agent was affirmed to be truthful in her testimony and stated that the Landlords were not served with the Notice of Dispute Resolution Proceeding package or a copy of the Tenants’ evidence. She stated that the Landlords became aware of the hearing after receiving a reminder email from the Residential Tenancy Branch and calling in for the teleconference numbers.

Preliminary Matters

The Agent stated that the incorrect party was named as the Landlord and provided the names of the two Landlords. As this matches the Landlords’ names as stated on the tenancy agreement submitted into evidence, the Landlord/Respondent name was amended on the Application for Dispute Resolution. This amendment was made pursuant to Section 64(3)(c) of the *Act*.

As the Tenants did not serve the Landlords with the Notice of Dispute Resolution Proceeding package or a copy of their evidence as required by the *Residential Tenancy Branch Rules of Procedure*, their applications are dismissed, with leave to reapply. I also note that the Tenants did not attend the hearing based on their own applications and therefore the hearing was not able to continue. Regardless, the application is dismissed due to a service issue.

Conclusion

The Tenants' applications are both dismissed, with 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 24, 2019

Residential Tenancy Branch