



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RP

This hearing dealt with an Application for Dispute Resolution (the “Application”) that was filed by the Tenant under the *Residential Tenancy Act* (the “Act”), seeking an order for the Landlord to make repairs to the rental unit. Specifically, the Tenant sought replacement of the carpet and underpadding due to odor and staining.

This matter was set for hearing by telephone conference call at 2:30 P.M. (Pacific Time) on July 18, 2018. At 2:30 P.M. I joined the conference call and only the Landlords were present. Rule 7.1 of the Residential Tenancy Branch Rules of Procedure (the “Rules of Procedure”) states that the dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator. The Landlords testified that they attempted to get the Tenant’s consent to reschedule the hearing as they are on vacation with their family; however, the Tenant would not agree to reschedule. As a result, the Landlords stated they attended the hearing on time and ready to proceed as scheduled.

As both the Landlords and I attended the hearing on time and ready to proceed, and there was no evidence before me that the parties had agreed to reschedule or adjourn the matter, I commenced the hearing as scheduled at 2:30 P.M. on July 18, 2018. Although the line remained open until 2:40 P.M., the Applicant did not appear.

Rule 7.3 of the Rules of Procedure states that 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. Although the respondents and I waited on the line until 1:40 P.M., neither the Tenant nor an agent for the Tenant appeared to provide any testimony or evidence for my consideration. As a result, and pursuant to rule 7.3 of the Rules of Procedure, I dismiss the Tenant’s claim without leave to reapply.

At the request of the Landlords, copies of the decision will be e-mailed to them at the e-mail address provided in the hearing.

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: July 18, 2018

Residential Tenancy Branch