



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, OLC, PSF, RP, RR

### Introduction

This hearing convened as a result of a Tenants' Application for Dispute Resolution in which they sought to cancel a 10 Day Notice for Unpaid Rent or Utilities, as well as Orders compelling the Landlord to provide services and facilities and make repairs, in addition to a request for a rent reduction for the value of such services and facilities.

The hearing was scheduled for 11:00 a.m. on August 27, 2019. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the Respondent Landlord.

The Tenants did not attend this hearing, although I left the teleconference hearing connection open until 11:10 a.m.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the Landlord and I were the only ones who had called into this teleconference.

The Landlord advised that the Tenants vacated the rental unit on July 16, 2019. She further advised that the parties attended a hearing before the Residential Tenancy Branch on June 28, 2019 at which time the Landlord was granted an Order of Possession and monetary compensation (the files numbers for that hearing are included on the unpublished cover page of this my Decision). She stated that the Tenants did not move out as ordered and as a result she obtained a Writ of Possession in the B.C. Supreme Court and the assistance of the bailiff to remove the Tenants on July 16, 2019.

### Analysis and Conclusion

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* provide as follows:

**Commencement of Hearing:**

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

**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 re-apply.

As the Tenants did not call into the hearing by 11:10 a.m., and the Landlord appeared and was ready to proceed, I dismiss the Tenants' claim without leave to reapply.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: August 27, 2019

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Residential Tenancy Branch