



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDCT, OLC, LRE, PSF, RP, and FFT

Introduction

This hearing was convened in response to the Tenants' Application for Dispute Resolution, in which the Tenants applied for a monetary Order for money owed or compensation for damage or loss; for an Order requiring the Landlord to make repairs to the rental unit; for an Order requiring the Landlord to comply with the *Residential Tenancy Act (Act)* and the tenancy agreement; for an Order requiring the Landlord to provide services or facilities; for an Order restricting the Landlord's right to enter the rental unit; and to recover the fee for filing this Application for Dispute Resolution.

Issue(s) to be Decided

Are the Tenants entitled to compensation for the loss of the quiet enjoyment of the rental unit?

Is there a need to issue an Order requiring the Landlord to repair the unit?

Is there a need to issue an Order requiring the Landlord to provide services or facilities?

Is there a need to issue an Order restricting the Landlord's right to enter the rental unit?

Background and Evidence

Section 61 of the *Act* states that upon accepting an application for dispute resolution, the director must set the matter down for a hearing and that the director must determine if the hearing is to be oral or in writing. In this case, the hearing was scheduled for a teleconference hearing.

Rule 10.1 of the Rules of Procedure stipulates that the hearing must commence at the scheduled time unless otherwise decided by the arbitrator. The arbitrator may conduct the hearing in the absence of a party and may make a decision or dismiss the application, with or without leave to re-apply.

This hearing was scheduled to commence at 9:30 a.m. on September 20, 2019. I dialed into the teleconference at 9:30 a.m. The Landlord had dialed into at, or before, the scheduled start time of the teleconference.

I monitored the teleconference until 9:41 a.m. The Tenants had not joined the teleconference by the time the teleconference was terminated at 9:41 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 I and the parties identified on the first page of this decision were the only people who had called into this teleconference.

Conclusion

I find that the Tenants failed to diligently pursue the Application for Dispute Resolution and I therefore dismiss the Application, without 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: September 21, 2019

Residential Tenancy Branch