



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CASCADIA APARTMENTS  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OLC FFT

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- an Order for the landlord to comply with the *Act*, regulations, and/or the tenancy agreement pursuant to section 62 of the *Act*;
- the recovery of the filing fee for this application from the landlord pursuant to section 72 of the *Act*.

The landlord's agent J.N. attended the hearing of this matter. The tenant, who was the applicant in this matter, did not attend this hearing, although I left the teleconference hearing connection open until 11:11 a.m. in order to enable the tenant to call into this teleconference hearing scheduled for 11:00 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's agent and I were the only ones who had called into this teleconference.

Rule 7.3 of the Rules of Procedure provides as follows:

### **7.3 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.*

Accordingly, in the absence of any testimony from the tenant who was the applicant in this matter, I order the tenant's application, in its entirety, dismissed without liberty to reapply.

Issue(s) to be Decided

Should the landlord be ordered to comply with the *Act*, regulations, and/or tenancy agreement?

Is the tenant entitled to recover the cost of the filing fee for this application from the landlord?

Conclusion

As noted above, I dismiss this Application for Dispute Resolution in its entirety 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: January 10, 2020

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Residential Tenancy Branch