



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Elevate Performance Reality
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes RP

Introduction

I was designated to hear this matter pursuant to section 58 of the *Residential Tenancy Act* (the “Act”). The tenant applied for an order for regular repairs, pursuant to Sections 32 and 62 of the Act.

The respondent’s representative TS called into this teleconference at the date and time set for the hearing of this matter. Although I waited until 9:41 A.M. to enable the applicant to connect with this teleconference hearing scheduled for 9:30 A.M, the applicant did not attend. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the respondent representative and I were the only persons who had called into this teleconference.

Rules 7.1 and 7.3 of the Rules of Procedure provide as follows:

Rule 7 – During the hearing

7.1 Commencement of the dispute resolution hearing

The dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator.

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 attendance at this hearing by the Applicant I order the application dismissed 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: February 03, 2020

Residential Tenancy Branch