



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT, RP, FFT

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act") for an order for regular repairs regarding a bed bugs in the rental unit, and for a monetary claim of \$677.00 for compensation for damage or loss under the Act, regulation or tenancy agreement, and to recover the cost of her \$100.00 Application filing fee.

The Tenant was provided with a copy of the Notice of a Reconvened Dispute Resolution Hearing on December 13, 2019 by mail; however, the Tenant did not attend the teleconference hearing scheduled for Friday, February 7, 2019 at 11:00 a.m. (Pacific Time). The phone line remained open for ten minutes and was monitored throughout this time. The only persons to call into the hearing were the respondent Landlords, P.B. and J.B., and a witness, D.E., who indicated that they were ready to proceed.

At the outset of the first hearing, the Landlords advised that their name was misspelled on the Application, and they provided the correct spelling to me. Therefore, I have amended the Respondent's name in the Application, pursuant to section 64(3)(c) and Rule 4.2 of the Residential Tenancy Branch Rules of Procedure ("Rules").

Rule 7.1 states that the dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator. The Respondent Landlords and I attended the hearing on time and were ready to proceed, and there was no evidence before me that the Parties had agreed to reschedule or adjourn the matter again; accordingly, I commenced the hearing at 11:00 a.m. on February 7, 2020, as scheduled.

Rule 7.3 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. The teleconference line remained open for ten minutes; however, neither the Applicant nor an agent acting on her behalf attended

to provide any evidence or testimony for my consideration. As a result, and pursuant to Rule 7.3, I **dismiss the Tenant's Application without leave to reapply.**

Conclusion

The Tenant's Application is dismissed without leave to reapply, as the Tenant or an Agent for the Tenant did not attend the hearing to present the merits of the Application. The Respondent Landlords did attend the hearing.

This Decision does not extend any applicable time limits under the Act.

This Decision will be emailed to the address provided by the Landlords during the hearing and mailed to the rental unit address provided by the Tenant in the Application.

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: February 07, 2020

Residential Tenancy Branch