



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding POPULACE HOLDING LTD. d.b.a. WILLOW POINT
REALTY and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes RP, PSF, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (“Application”) by the Tenants seeking remedy under the *Residential Tenancy Act* (“Act”) for an order for regular repairs, for an order to provide services or facilities required by the tenancy agreement or law, and to recover the \$100.00 cost of their Application filing fee.

The Tenants were provided with a copy of the Notice of a Dispute Resolution Hearing on January 28, 2020; however, the Tenants did not attend the teleconference hearing scheduled for March 30, 2020 at 9:30 a.m. (Pacific Time). The phone line remained open for over ten minutes and was monitored throughout this time. The only person to call into the hearing was an agent for the respondent Landlord, J.K. (“Agent”), who indicated that she was ready to proceed.

Rule 7.1 of the Residential Tenancy Branch Rules of Procedure (“Rules”) states that the dispute resolution hearing will commence at the scheduled time unless otherwise set by the arbitrator. The Agent 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; accordingly, I commenced the hearing at 9:30 a.m. on March 30, 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 over ten minutes, however, neither the Applicants nor an agent acting on their 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 Tenants' Application is dismissed without leave to reapply, as the Tenants or an Agent for the Tenants did not attend the hearing to present the merits of the Application. The Agent 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 Agent during the hearing and to the email address provided by the Tenants 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: March 30, 2020

Residential Tenancy Branch