



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

ERP

Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied for an Order requiring the Landlord to make repairs to the rental unit. The matter was not scheduled as an expedited hearing, as the request for repairs was not deemed to be an emergency by the Residential Tenancy Branch .

The Landlord stated that the Tenant did not serve her with the Tenant's Application for Dispute Resolution. She stated that she became aware of these proceedings after receiving notice of the proceedings from the Residential Tenancy Branch.

Issue(s) to be Decided

Is there a need to issue an Order requiring the Landlord to repair the dishwasher, washing machine, and/or dryer?

Background and Evidence

Section 61 of the *Residential Tenancy Act (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 decide or dismiss the application, with or without leave to re-apply.

This hearing was scheduled to commence at 9:30 a.m. on June 01, 2020. The Agent for the Landlord joined the teleconference prior to the scheduled start time of 9:30. The hearing proceeded in the absence of the Tenant.

By the time this teleconference was ended, the Tenant had not dialed into the teleconference.

The Agent for the Landlord stated that she is not aware that there is a need to repair the dishwasher, or any other appliance, in the rental unit.

Analysis

I find that the Tenant has failed to establish a need to repair any appliance in the rental unit require repair. I therefor dismiss the Tenant's application for an Order requiring the Landlord to repair any appliance.

Conclusion

The Application for Dispute Resolution is 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: June 01, 2020

Residential Tenancy Branch