



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ERP

### Introduction

This hearing convened as a result of a Tenants' Application for Dispute Resolution, filed on June 5, 2020, wherein the Tenants sought an Order that the Landlords make emergency repairs pursuant to section 33 of the *Residential Tenancy Act* (the "Act").

The hearing of the Tenants' Application was scheduled for 9:30 a.m. on July 6, 2020. The line remained open until 9:44 a.m. and the only participants who called into the hearing during this time were the Respondent Landlords. 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 Landlords and I were the only ones who had called into this teleconference.

### Analysis and Conclusion

Rules 7.1 and 7.3 of the *Residential Tenancy Branch Rules of Procedure* provide as follows:

#### **Commencement of Hearing:**

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

#### **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.

As the Applicants, the Tenants bear the burden of proving their claim on a balance of probabilities. As the Tenants did not call into the hearing by 9:44 a.m., and the

Respondents called in and were ready to proceed, I dismiss the Tenants' claim without leave to reapply.

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: July 06, 2020

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Residential Tenancy Branch