



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding WEIDNER INVESTMENTS and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes **LRE, LAT, OLC**

Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for an order requiring the landlord to comply with the Act pursuant to section 62 and for an order to restrict or suspend the landlord's right of entry pursuant to section 70.

The agents BL and RB attended for the landlord ("the landlord"). The landlord was given the opportunity to make submissions as well as present affirmed testimony and written evidence. The hearing process was explained and an opportunity was given to ask questions about the hearing process.

The landlord corrected the landlord's name which is amended throughout.

The tenant did not appear at the hearing. I kept the teleconference line open from the scheduled time for the hearing for an additional twelve minutes to allow the tenant the opportunity to call. The teleconference system indicated only the landlord and I had called into the hearing. I confirmed the correct call-in number and participant code for the tenant had been provided.

The landlord stated that they learned about the hearing when they called the RTB concerning a One Month Notice to End Tenancy that the landlord had served upon the tenant. The landlord did not know about the hearing until they were informed of the scheduling by the Information Officer. The landlord was not served with any documents or a Notice of Hearing by the tenant. The landlord believed the landlord was required to attend today and was prepared for the application to be heard.

Rule 7.3 of the Rules of Procedure provides as follows:

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 reapply.

I have considered the testimony of the landlord and the failure of the tenant to serve the documents. As the applicant did not attend the hearing and in the absence of any evidence or submissions, I order the application dismissed without leave to reapply.

Conclusion

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: September 01, 2020

Residential Tenancy Branch