



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OLC, LRE, LAT, FFT

### Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed August 5, 2020, wherein the Tenant sought the following Orders:

- an order that the Landlord comply with the *Residential Tenancy Act*, the *Residential Tenancy Regulation*, and/or the residential tenancy agreement;
- an Order restricting the Landlord's right to enter the rental unit;
- authority to change the locks to the rental unit; and,
- recovery of the filing fee.

The hearing of the Tenant's Application was scheduled for 11:00 a.m. on September 14, 2020. The line remained open until 11:12 a.m. and the only participant who called into the hearing during this time was the Respondent. 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 Respondent and I were the only ones who had called into this teleconference.

The Landlord confirmed that he obtained an Order of Possession by Decision dated August 18, 2020. The Order of Possession has an effective date of September 15, 2020 (the day after the hearing).

### 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 Applicant, the Tenant bears the burden of proving their claim on a balance of probabilities. As the Tenant did not call into the hearing by 10:12 a.m., and the Landlord called in and was ready to proceed, **I dismiss the Tenant's 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: September 14, 2020

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Residential Tenancy Branch