



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Neighborhood Housing
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC

Introduction

This hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (Act) for:

- an order requiring the landlord to comply with the Act, regulation or tenancy agreement.

The hearing began at 11:00 a.m. Pacific Time on Monday, January 4, 2021, as scheduled and the telephone system remained open and was monitored for 10 minutes.

During this time, the tenant did not call into the hearing; however, the landlord's agent was present and ready to proceed with the hearing. During the hearing, the landlord's agent confirmed that the other listed applicant was another tenant in another rental unit, who has now been evicted, as of November 2020. The landlord's agent also confirmed that the surname listed for the other applicant was incorrect. I have therefore excluded the additional applicant from the style of cause page of this Decision.

I continued the hearing for 10 minutes, in order to allow the tenant to call into the hearing.

Rules 7.3 and 7.4 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 re-apply.

7.4 Evidence must be presented

Evidence must be presented by the party who submitted it, or by the party's agent.

If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

Accordingly, **in the absence of any evidence or submissions from the applicant/tenant, I order the tenant's application dismissed.**

As the landlord was represented at the hearing and the landlord's agent was ready to proceed, I dismiss the tenant's application, **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: January 4, 2021

Residential Tenancy Branch