



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ERP, FFT

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order to the landlord to make emergency repairs to the rental unit pursuant to section 33;
- authorization to recover their filing fee for this application from the landlord pursuant to section 72.

The landlord attended the hearing via conference call and provided undisputed affirmed testimony. The tenants did not attend.

After waiting 10 minutes past the start of the scheduled time, the hearing was commenced.

The landlord stated that the tenants had moved out on December 31, 2020 and that the landlord was not served with any notice of hearing documents for the tenant's application. On the basis of this evidence, I am not satisfied that the tenants served the landlord with the dispute resolution package pursuant to sections 89 of the Act. The tenants' application is dismissed with leave to reapply. Leave to reapply is not an extension of any applicable limitation period.

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 08, 2021

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Residential Tenancy Branch