



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP

Introduction

This hearing dealt with the tenant's 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.

The tenant attended the hearing via conference call and provided undisputed affirmed testimony at 10 minutes past the start of the scheduled hearing time. The landlord did not attend or submit any documentary evidence. The tenant stated that the landlord was served with the notice of hearing package and the submitted 27 documentary evidence file(s) by posting them to the landlord's door on January 15, 2021.

I accept the undisputed affirmed evidence of the tenant and find that the landlord was sufficiently served as per sections 88 and 89 of the Act.

Issue(s) to be Decided

Is the tenant entitled to an order for emergency repairs?

Background, Evidence, Analysis and Conclusion

While I have turned my mind to all the documentary evidence, and the testimony of the parties, not all details of the respective submissions and / or arguments are reproduced here. The principal aspects of the applicant's claim and my findings are set out below.

This tenancy began on June 15, 2020 on a month-to-month basis as per a submitted copy of the signed tenancy agreement dated May 31, 2020. The monthly rent is

\$1,500.00 payable on the 1st day of each month. A security deposit of \$750.00 was paid on May 31, 2020.

The tenant stated that he has moved out of the rental unit and living at a friend's place. The tenant stated that a flood occurred and there is water damage to the rental unit. The tenant stated that he seeks emergency repairs for the removal of mold and the replacement of the flooring.

At 20 minutes past the start of the scheduled hearing the tenant was disconnected from the call. The conference call hearing was paused to allow the tenant to reconnect. The tenant did not reconnect. After waiting 15 minutes since the tenant disconnected, the tenant's application was 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: February 11, 2021

Residential Tenancy Branch