



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Remax Nelson reality
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes RP RR

Introduction

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

- An order for repairs pursuant to section 33; and
- An order to reduce rent for repairs, services or facilities not provided pursuant to section 65.

This matter was set for hearing by telephone conference call at 11:00 am on this date. The line remained open while the phone system was monitored for fifteen minutes and the only participant who called into the hearing during this time were the respondent's agents.

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.

Therefore, as the applicant did not attend the hearing, and the respondents were represented by their agent who were ready to proceed, I dismiss the claim without leave to reapply.

Conclusion

The tenants' application is dismissed in its entirety 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: March 26, 2021

Residential Tenancy Branch