



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      LRE, OLC

### Introduction

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

- an order restricting the landlord's right to enter the rental unit, pursuant to section 70; and
- an order requiring the landlord to comply with the *Act*, *Residential Tenancy Regulation* or tenancy agreement, pursuant to section 62.

While the respondent landlord and her advocate attended the hearing by way of conference call, the applicant tenants did not, although I waited until 9:41 a.m. in order to enable the tenants to connect with this teleconference hearing scheduled for 9:30 a.m.

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 landlord, his agent and I were the only people who called into this teleconference.

The landlord confirmed that her agent had permission to speak on her behalf at this hearing.

The landlord's advocate claimed that the landlord did not receive a copy of the tenants' application. He confirmed that the landlord was notified about the hearing and given the call-in instructions from the Residential Tenancy Branch ("RTB").

Rule 7.3 of the RTB *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.*

In the absence of any appearance by the tenants, I order the tenants' entire application dismissed without leave to reapply. I informed the landlord and her advocate of this decision during the hearing.

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 08, 2021

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Residential Tenancy Branch