



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Teddy's Homes
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC, FFT

Introduction

The tenant filed an Application for Dispute Resolution (the “Application”) on January 20, 2021 seeking the landlord’s compliance with the legislation and/or the tenancy agreement. Additionally, they seek recompense for the Application filing fee. The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* (the “Act”) on April 19, 2021. In the conference call hearing I explained the process and provided the attending party the opportunity to ask questions.

The party attending the hearing, so named as the “Landlord” by the tenant on their Application, stated they received no notice of this hearing. They only received a reminder of the pending hearing on the prior business day. The tenant provided no documentary evidence in advance of the hearing, and no notice of the hearing within the time limit specified in the Residential Tenancy Branch Rules of Procedure.

The tenant did not attend the hearing, although I left the teleconference hearing connection open until 9:42 a.m. to enable them to call in to 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 throughout the duration of the call that the tenant was not in attendance.

Rule 7.3 of the Rules of Procedure provides that if a party or their agent fails to attend the hearing, the arbitrator may conduct the hearing in the absence of that party or dismiss the application without leave to reapply.

Issue(s) to be Decided

Is the tenant entitled to an Order that mandates the landlord should comply with the *Act*, the regulations and/or the tenancy agreement?

Is the tenant entitled to reimbursement of the Application filing fee?

Conclusion

In the absence of the Applicant tenant I dismiss this Application 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 *Act*.

Dated: April 19, 2021

Residential Tenancy Branch