



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNE, RR, RP, LAT, OLC

### Introduction

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

- cancellation of the landlord's One Month Notice to End Tenancy for End of Employment ("1 Month Notice"), pursuant to section 48;
- an order allowing the tenant to reduce rent for repairs, services or facilities, agreed upon but not provided, pursuant to section 65;
- an order requiring the landlord to perform repairs to the rental unit, pursuant to section 33;
- authorization to change the locks to 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.

The landlord did not attend this hearing, which lasted approximately 16 minutes. The tenant attended the hearing and was given a full opportunity to be heard and to make submissions.

The hearing began at 11:00 a.m. with only me present. The tenant called in late at 11:08 a.m., claiming that they could not see their screen. The hearing ended at 11:16 a.m.

The tenant was extremely angry and upset when they first called into the hearing. They repeatedly yelled at me and interrupted me when I tried to speak, ask questions, or confirm information. The tenant made a number of disparaging comments against the landlord, the Residential Tenancy Branch ("RTB") and me.

At the outset of the hearing, the tenant confirmed that they vacated the rental unit on April 1, 2021. They said that they had a hearing at the RTB a couple of weeks prior, where they reached a settlement to move out, with the landlord. The file number for that hearing appears on the front page of this decision.

I notified the tenant that their application was dismissed without leave to reapply, as the relief in their application all related to an ongoing tenancy and the tenant had already moved out. When I asked the tenant if they understood my decision, the tenant became even more angry and upset and continued yelling at me.

#### Preliminary Issue – Inappropriate Behaviour by the Tenant during the Hearing

Rule 6.10 of the RTB *Rules of Procedure* states the following:

*6.10 Interruptions and inappropriate behaviour at the dispute resolution hearing*  
*Disrupting the hearing will not be permitted. The arbitrator may give directions to any person in attendance at a hearing who is rude or hostile or acts inappropriately. A person who does not comply with the arbitrator's direction may be excluded from the dispute resolution hearing and the arbitrator may proceed in the absence of that excluded party.*

Throughout the hearing, the tenant yelled at me, interrupted me, and made disparaging comments towards me. The tenant yelled at me: “enjoy your paid vacation with your exorbitant salary helping rich landlords.” The tenant claimed that the RTB only helped landlords, not tenants. They stated that the situation in B.C. was worse than Ontario.

I notified the tenant that I needed to be able to speak in order to conduct the hearing. Yet, the tenant kept yelling at me and interrupting me. When I asked the tenant for a few minutes to explain information and ask questions, the tenant responded: “should we put a timer on it?” When I asked the tenant for their contact information in order to send a copy of my written decision to them, they asked: “Why? What’s the point? What difference does it make?” The tenant refused to confirm an email address or mailing address in order for me to send them a copy of my written decision.

I cautioned the tenant multiple times that I would end the hearing if they did not allow me to speak and conduct the hearing. The tenant continued with their inappropriate behaviour, spoke at the same time as me, yelled at me, and would not allow me to speak. Therefore, at 11:16 a.m., I thanked the tenant for attending the hearing and notified them that I was closing the hearing.

I caution the tenant to not engage in the same behaviour at any future hearings at the RTB, as this inappropriate and disruptive behaviour will not be tolerated, and they may be excluded from future hearings. In that case, a decision will be made in the absence of the tenant.

Conclusion

The tenant's entire application is dismissed 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: April 06, 2021

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Residential Tenancy Branch