



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP, FFT

Introduction

The tenant applied for an order for emergency repairs under sections 33 and 62 of the *Residential Tenancy Act* ("Act"), and for recovery of the application filing fee.

The landlord and an interpreter attended the hearing, held by teleconference, on April 15, 2021 at 11:00 a.m. The tenant did not dial-in to the hearing at any point, and the hearing ended at 11:13 a.m. (It should be noted that landlord's name is corrected on the cover page of this decision.)

Preliminary Issue: Non-Attendance of Applicant

The standard of proof in a dispute resolution hearing is on a balance of probabilities, which means that it is more likely than not that the facts occurred as claimed. The onus to prove their case is on the person making the claim.

As the tenant failed to attend the hearing to argue their case and present evidence, it follows that they have not proven their claim. Consequently, I dismiss the tenant's application in its entirety, without leave to reapply.

This decision is made on authority delegated to me under section 9.1(1) of the Act.

Dated: April 15, 2021

Residential Tenancy Branch