



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding LEWIS STREET APARTMENTS, COAST CAPITAL INSURANCE SERVICES, BROWN BROS AGENCIES LTD. and ROCKY CROSS CONSTRUCTION  
LYD and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDCT, RPP

### Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on February 25, 2021, wherein the Tenant sought monetary compensation from the Landlords in the amount of \$20,000.00.

This matter was set for hearing by telephone conference call at 11:00 on this date. The line remained open until 11:13 p.m. and the only participant who called into the hearing during this time were representatives for the Landlords: R.G. and B.G. the owners of the apartment building in which the rental unit is located, and their legal counsel P.C. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing.

### Analysis and Conclusion

Hearings before the Residential Tenancy Branch are conducted in accordance with the *Residential Tenancy Branch Rules of Procedure*. Rules 7.1, 7.3 and 7.4 address the requirement of a party to call into the teleconference hearing and read as follows:

#### **7.1 Commencement of Hearing**

The hearing must commence at the scheduled time unless otherwise decided by the arbitrator.

#### **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.

#### **7.4 Evidence must be presented**

Evidence must be presented by the party who submitted it, or by the party's agent. If a party or their agent does not attend the hearing to present evidence, any written submissions supplied may or may not be considered.

As the Applicant, the Tenant bears the burden of proving their claim on a balance of probabilities. In the absence of any evidence or submissions from the Tenant and in the absence of the Tenant's participation in this hearing, I dismiss the Tenant's claim without leave to reapply. I make no findings on the merits of this matter.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: July 02, 2021

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Residential Tenancy Branch