



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **ERP, FFT**

Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for the following:

- An order requiring the landlord to carry out emergency repairs pursuant to section 33;
- An order requiring the landlord to reimburse the tenant for the filing fee pursuant to section 72.

The tenants attended and had opportunity to provide affirmed testimony, present evidence and make submissions. The hearing process was explained.

The tenants stated they had served the landlord with Notice of Hearing and Application for Dispute Resolution.

The landlord did not attend the hearing. I kept the teleconference line open from the scheduled time for the hearing for an additional 11 minutes to allow the landlord the opportunity to call. The teleconference system indicated only the tenants and I had called into the hearing. I confirmed the correct call-in number and participant code for the landlord was provided.

The tenants stated they moved out of the unit. They provided no evidence in support of their application as they had vacated.

In the absence of any submissions or evidence, I order the application dismissed without leave to reapply.

Conclusion

I order the application 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: November 26, 2021

Residential Tenancy Branch