



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RR, MNDC, DRI, RP, PSF, FF

Introduction, Preliminary and Procedural Matters-

This telephone conference call hearing was convened as the result of the tenant's application for dispute resolution seeking remedy under the Residential Tenancy Act (Act) for:

- a reduction in monthly rent;
- compensation for a monetary loss or other money owed;
- to dispute a rent increase that is above the amount allowed by law;
- an order requiring the landlord to make repairs;
- an order requiring the landlord to provide for services or facilities required by the tenancy agreement or the Act;
- to recover the cost of the filing fee.

The hearing began at 9:30 a.m. Pacific Time on Thursday, December 9, 2021, as scheduled and the telephone system remained open and was monitored for 10 minutes. During this time, the tenant did not call into the hearing; however, the landlord attended and said that the tenant did not serve him with the application.

I continued the hearing for 10 minutes, in order to allow the tenant to call into the hearing.

Rules 7.3 and 7.4 of the Rules of Procedure provides as follows:

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.

Accordingly, in the absence of any evidence or submissions at the hearing from the applicant, **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*. Pursuant to section 77 of the Act, a decision or an order is final and binding, except as otherwise provided in the Act.

Dated: December 9, 2021

Residential Tenancy Branch