



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding FIRST SERVICE RESIDENTIAL
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

RP RR FFT

Introduction and Analysis

This hearing was convened as the result of a tenants' Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act) for regular repairs to the unit, site or property, for a rent reduction and to recover the cost of the filing fee.

The hearing began at 11:01 a.m. Pacific Time as scheduled on July 4, 2022, and the telephone system remained open and was monitored for 10 minutes. I called in 1 minute after the scheduled 11:00 a.m. Pacific Time start time to allow all parties to hear the Residential Tenancy Branch (RTB) introductory message to participants. During the 10-minute waiting period, only a respondent landlord agent, AC (agent) dialed into the telephone conference call hearing. I have also confirmed that the Notice of Dispute Resolution Proceeding document dated March 23, 2022, included the correct time and date and access codes for the hearing.

The agent testified that the tenant failed to serve them with the Notice of Hearing and application and that the only way the landlord became aware of the hearing was by way of a reminder email sent from the RTB.

The hearing concluded at 11:11 a.m. Pacific Time on July 4, 2022.

Conclusion

In the absence of the tenant to present their claim, and due to a service issue, I dismiss the tenant's application, with leave to reapply pursuant to RTB Rules of Procedure Rules 7.1, 7.3 and 7.4, that address consequences for not attending a dispute resolution hearing.

I make no findings on the merits of the application. Leave to reapply is not an extension of any applicable limitation period.

This decision will be emailed to both parties.

I do not grant the filing fee as the tenant failed to present the merits of their application.

I note that the only reason the tenant has leave to reapply is due to the fact that the agent confirmed that the tenant failed to serve them with the Notice of Hearing and application.

This decision is final and binding on the parties, unless 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 4, 2022

Residential Tenancy Branch