



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP

Dismissal of the Tenant's Claim

The Tenant applies for an order for emergency repairs pursuant to s. 33 of the *Residential Tenancy Act* (the "Act").

A.W. appeared as the Landlord.

The Tenant did not appear, nor did someone appear on their behalf.

Pursuant to Rule 7.1 of the Rules of Procedure, the hearing began as scheduled in the Notice of Dispute Resolution. As the Tenant did not attend, the hearing was conducted in their absence as permitted by Rule 7.3 of the Rules of Procedure. The hearing concluded after 10 minutes without participation from the Tenant.

The Landlord affirmed to tell the truth at the hearing.

The Landlord advised that he was not served by the Tenant and received notice of the hearing from the Residential Tenancy Branch by way of email notification.

The Landlord further advised that the Tenant no longer resides within the rental unit, that he obtained an order of possession, which was filed with the BC Supreme Court and a writ of possession was issued. I am told bailiffs removed the Tenant in early June 2022.

Based on the undisputed evidence of the Landlord, I find that the tenancy ended prior to the hearing. I find that the issue on the Tenant's application is no longer relevant. The Tenant did not attend the hearing and I further find that she failed to discharge her

evidentiary burden as a claimant. I dismiss the Tenant's application 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: August 12, 2022

Residential Tenancy Branch