



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes PSF, OLC, FFT

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* ("Act") for:

- an order requiring the landlords to provide services or facilities required by law, pursuant to section 65;
- an order requiring the landlords to comply with the *Act*, *Residential Tenancy Regulation* or tenancy agreement, pursuant to section 62; and
- authorization to recover the \$100.00 filing fee paid for this application, pursuant to section 72.

While the respondent landlord WM ("landlord") attended the hearing by way of conference call, the applicant tenant did not, although I waited until 11:11 a.m. in order to enable the tenant to connect with this teleconference hearing scheduled for 11:00 a.m. This hearing lasted approximately 11 minutes.

I monitored the teleconference line throughout this hearing. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the landlord and I were the only people who called into this teleconference.

The landlord confirmed his name and spelling. He stated that he is employed by a landlord company, that is an agent for the owner of the rental unit. He said that he had permission to represent the other 7 landlords named in this application, as well as the landlord company, and the owner at this hearing. He said that the other 7 landlords are also employed by the landlord company. He confirmed the rental unit address. He provided his email address for me to send this decision to the landlords after the hearing.

Rule 6.11 of the Residential Tenancy Branch (“RTB”) *Rules of Procedure (“Rules”)* does not permit recording of this hearing by any party. At the outset of this hearing, the landlord affirmed, under oath, that he would not record this hearing.

I explained the hearing process to the landlord. He had an opportunity to ask questions. He did not make any adjournment or accommodation requests.

The landlord stated that he did not receive a copy of the tenant’s application for dispute resolution hearing package. He said that he received email reminders from the RTB on August 18, 2022 and August 29, 2022, with the phone number and access code to call into this hearing. He claimed that he called the RTB on August 22, 2022, and informed it that he did not receive a copy of the tenant’s application. He explained that the tenant vacated the rental unit, and the landlord took back possession of it.

Rule 7.3 of the RTB *Rules* 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.

In the absence of any appearance by the tenant, I order the tenant’s entire application dismissed without leave to reapply.

I informed the landlord about my decision verbally during this hearing. He confirmed his understanding of same.

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: September 01, 2022

Residential Tenancy Branch