



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes PSF, LRE, OLC, FFT

The Tenant seeks the following relief under the *Residential Tenancy Act* (the “Act”):

- an order pursuant to ss. 27 and 62 for the Landlord to provide services or facilities;
- an order pursuant to s. 62 that the Landlord comply with the Act, Regulations, and/or the tenancy agreement;
- an order pursuant to s. 70 restricting the Landlord’s right of entry into the rental unit; and
- return of their filing fee pursuant to s. 72.

J.H. appeared as the Landlord’s agent. The Tenant did not attend the hearing, nor did someone attend on their behalf.

Pursuant to Rule 7.1 of the Rules of Procedure, the hearing began as scheduled in the Notice of Dispute Resolution at 11:00 AM on December 8, 2022. I confirmed that the correct dial-in numbers and codes were provided within the Notice of Dispute Resolution.

Rule 7.3 of the Rules of Procedure states the following:

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.

As the Tenant did not attend the hearing for their own application, it was conducted in their absence. After waiting on the line with the Landlord’s agent for 10 minutes, the

hearing was concluded without submissions from either party on the substantive issues in the Tenant's application.

As is made clear by Rule 6.6 of the Rules of Procedure, the onus is on the applicant Tenant to prove their claim on a balance of probabilities. By failing to attend the hearing to make submissions in support of their application, I find that the Tenant has failed to prove their claim. I hereby dismiss the application in its entirety **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: December 08, 2022

Residential Tenancy Branch