



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      ERP

### Introduction

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

- an order requiring the landlord to complete emergency repairs to the rental unit, pursuant to section 33.

"Tenant CG" and the landlord did not attend this hearing, which lasted approximately 7 minutes. Tenant SW ("tenant") attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

This hearing began at 9:30 a.m. and ended at 9:37 a.m. 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 tenant and I were the only people who called into this teleconference.

The tenant stated that she intended to call a witness, who she said was not present during this hearing. The tenants' witness did not testify at this hearing.

The tenant confirmed her name and spelling. She provided her email address for me to send this decision to both tenants after this hearing.

The tenant stated that she had permission to represent tenant CG at this hearing (collectively "tenants"). She explained that the tenants were renting a trailer from the landlord, so this application was filed under the *Act*.

Rule 6.11 of the Residential Tenancy Branch (“RTB”) *Rules of Procedure* (“Rules”) does not permit recordings of any RTB hearings by any participants. At the outset of this hearing, the tenant affirmed, under oath, that she would not record this hearing.

I explained the hearing process to the tenant. I informed her that I could not provide legal advice to her. She had an opportunity to ask questions. She did not make any adjournment or accommodation requests.

At the outset of this hearing, the tenant stated that the tenants vacated the rental unit. She said that the tenants filed this application for emergency repairs, asking the landlord to turn on the electricity.

I informed the tenant that the tenants’ application was dismissed without leave to reapply. I notified her that the tenants’ application for emergency repairs relates to an ongoing tenancy only and the tenants moved out.

#### Preliminary Issue – Inappropriate Behaviour by the Tenant during this Hearing

Rule 6.10 of the RTB *Rules* states the following:

*6.10 Interruptions and inappropriate behaviour at the dispute resolution hearing*  
*Disrupting the hearing will not be permitted. The arbitrator may give directions to any person in attendance at a hearing who is rude or hostile or acts inappropriately. A person who does not comply with the arbitrator’s direction may be excluded from the dispute resolution hearing and the arbitrator may proceed in the absence of that excluded party.*

Throughout this hearing, the tenant repeatedly interrupted me, spoke at the same time as me, and argued with me. She became upset when I provided my decision to her verbally during this hearing. She repeatedly argued with me because she did not agree with my decision.

The tenant repeatedly asked me for legal advice, after I repeatedly told her that I could not provide legal advice to her, and she could hire a lawyer for same.

I cautioned the tenant, but she continued with her inappropriate behaviour. At 9:37 a.m., I informed her that I was ending the hearing, and thanked her for attending.

Conclusion

The tenants' application is 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*.

Dated: December 09, 2022

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Residential Tenancy Branch