



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding RMG100 Land Corp.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ERP

Introduction

The Tenant filed an Application for Dispute Resolution on July 19, 2023 seeking repairs from the Landlord for health/safety reasons. The matter proceeded by way of a hearing pursuant to s. 74(2) of the *Residential Tenancy Act* (the “Act”) on August 15, 2023.,

The Landlord attended the hearing; the Tenant did not attend. I left the teleconference hearing connection open until 9:43am to enable the Tenant to call in to this teleconference hearing scheduled for 9:30am.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed throughout the duration of the call that the Tenant was not in attendance.

Rule 7.3 of the *Residential Tenancy Branch Rules of Procedure* provides that if a party or their agent fails to attend the hearing, the arbitrator may conduct the hearing in the absence of that party or dismiss the application without leave to re-apply.

The Landlord in the hearing stated that they executed a Writ of Possession the day prior to this hearing, effectively ending the tenancy. I conclude from this there is no remedy available to the Tenant where this Landlord-Tenant relationship has ended entirely.

Conclusion

As the Applicant Tenant did not attend to present their Application, I dismiss the Tenant's Application. Because the tenancy had ended as of the date of the scheduled hearing, I dismiss without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under s. 9.1(1) of the *Act*.

Dated: August 15, 2023

Residential Tenancy Branch