



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RR, RP, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order reducing rent for repairs, services or facilities agreed upon but not provided; an order that the landlord make repairs to the rental unit or property; and to recover the filing fee from the landlord for the cost of the application.

The tenant and an agent for the landlord attended the hearing, during which I learned that the tenant had not provided the landlord with any of the tenant's evidentiary material. Any evidence that a party wishes to rely on must be provided to the other party, even if they already have a copy, because it is important for all parties to know what is before the Arbitrator. The landlord has not provided any evidence for this hearing. Since the tenant has not served the tenant's evidence to the landlord, I cannot consider it. As a result, I dismissed the tenant's application with leave to reapply. I have made no findings of fact or law with respect to the merits of this dispute.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed with 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: January 09, 2024

Residential Tenancy Branch