Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   ERP, MNDCT

Introduction

This matter was set for hearing by telephone conference call, in response to a Tenant's Application for Dispute Resolution (the "Application") for an order for emergency repairs and a monetary order for compensation to the Tenant. Neither party attended at the appointed time set for the hearing, although I waited 10 minutes to enable them to participate in this hearing scheduled for 10:30 a.m. on April 30, 2018. 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 I was the only person who had called into this teleconference.

Issues

Is the Tenant entitled to an order for emergency repairs pursuant to sections 32 and 62(3) of the *Residential Tenancy Act* ("Act)?

Is the Tenant entitled to a monetary order for compensation for the Landlord's failure to maintain the rental premises in a safe and healthy condition, pursuant to section 67 of the Act?

Analysis & Conclusion

Rule 7.3 of the Residential Tenancy Branch Rules of Procedure states if a party or their agent fails to attend a 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 neither party called into the conference call by 10:40 a.m., I find the Tenant has not presented the merits of this Application which is hereby **dismissed with leave to reapply**. However, this does not extend any applicable time limits under the *Residential*

Tenancy Act and I have made no findings of fact or law with respect to the merits of this Application.

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: May 1, 2018

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Residential Tenancy Branch