



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OLC, PSF, FFT

### Introduction

This teleconference hearing was scheduled in response to an application by the Tenant under the *Residential Tenancy Act* (the “*Act*”) for an Order for the Landlord to comply with the *Act*, *Residential Tenancy Regulation* (the “*Regulation*”), or tenancy agreement, an Order for the Landlord to provide services or facilities as required by the tenancy agreement or law, and for the recovery of the filing fee paid for this application.

The Landlord was present for the teleconference hearing, while no one called in for the Tenant during the 10 minutes that the phone line remained open. The Landlord was affirmed to be truthful in his testimony and confirmed receipt of the Notice of Dispute Resolution Proceeding package as served in person from the Tenant.

The Landlord received a handwritten statement from the Tenant, but no other documentary evidence. The Landlord did not submit any documentary evidence prior to the hearing.

### Issues to be Decided

Should the Landlord be ordered to comply with the *Act*, *Regulation*, or tenancy agreement?

Should the Landlord be ordered to provide services or facilities required by the tenancy agreement or law?

Should the Tenant be awarded the recovery of the filing fee paid for the Application for Dispute Resolution?

### Analysis

Rule 7.3 of the *Residential Tenancy Branch Rules of Procedure* states that if a party does not attend the hearing, the hearing may continue in their absence, or the application may be dismissed. The teleconference hearing was scheduled for 1:30 pm on November 15, 2018. The phone line was kept open until 1:40 pm, and only the Landlord was present during this time.

As the Tenant did not attend a hearing that was based on their Application for Dispute Resolution, the hearing did not continue in their absence. Instead, I find that the Tenant has abandoned the application, and therefore the application is dismissed, without leave to reapply.

### Conclusion

The Tenant's Application for Dispute Resolution 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: November 15, 2018

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Residential Tenancy Branch