



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP

Introduction

This hearing was scheduled for 9:30 a.m. on this date, via teleconference call, to deal with the tenant's application for emergency repair orders.

The tenant did not appear for the hearing despite leaving the teleconference call open for 12 minutes to give the tenant the opportunity to appear.

The named respondent, referred to by initials KK, appeared for the hearing. KK confirmed receipt of notification of the hearing by way of an email but stated she did not receive any of the tenant's evidence.

KK also stated that she is not the landlord or an agent for the landlord. Rather, she described herself as being a friend of the owner who has spoken with the tenant because the owner does not speak English.

KK also submitted that the tenancy is already over because of unpaid rent and the landlord has already obtained an Order of Possession for the rental unit. I was provided with copies of the Order of Possession and Monetary Order issued on April 9, 2020 (file number provided on cover page of this decision).

I noted that the tenancy agreement submitted as evidence named another individual, referred to by initials YW, as the landlord. Also the decision, Order of Possession and Monetary Order issued on April 9, 2020 identify YW as the landlord.

The tenant's Application for Dispute Resolution against the named respondent is dismissed due to his failure to appear for the hearing and establish he has a current or former tenancy relationship with the named respondent and an entitlement to emergency repair orders.

I noted the written tenancy agreement did not provide the landlord's service address, as required under section 13 of the Act. KK stated the tenant received the landlord's service address in court documents that have been served upon him. I confirmed with KK that the landlord's service address is the address that the tenant identified in filing this Application for Dispute Resolution. As such, I am satisfied the tenant has a service address for the landlord and any future Application for Dispute Resolution the tenant may file ought to reflect the landlord as defined under section 1 of the Act and served upon the landlord in one of the ways permitted under section 89 of the Act.

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: June 23, 2020

Residential Tenancy Branch