



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW CONSIDERATION DECISION

Dispute Codes: CNC

This is an application by the tenant to review the decision of a Dispute Resolution Officer dated October 3, 2011 relating to the above-noted rental unit.

I refer to section 72(2) of the Act which provides that a decision or order of the director may be reviewed only on one or more of the following grounds:

1. A party was unable to attend the original hearing because of circumstances that could not be anticipated and were beyond the party's control;
2. A party has new and relevant evidence that was not available at the time of the original hearing;
3. A party has evidence that the director's decision or order was obtained by fraud.

The tenant's lawyer applied for a review citing the first ground for review however the application for review does not disclose any new and relevant evidence, not available at the time of the original hearing; instead counsel for the applicant annexed a schedule to the application wherein he presented an argument that the Dispute Resolution Officer displayed bias toward the applicant and breached the rules of natural justice.

I have no jurisdiction to address the arguments advanced by the applicant. I dismiss the application for review on the basis that the application discloses insufficient evidence of any ground for review. If the applicant chooses she may apply to the Supreme Court for judicial review of the original decision.

Dated: October 17, 2011.

Residential Tenancy Branch