



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION ON REQUEST FOR CORRECTION**

Dispute Codes: FF MND MNDC

The applicants have requested a correction to a decision of the Residential Tenancy Branch dated November 2, 2011

Section 78 of Residential Tenancy Act enables the Residential Tenancy Branch to:

- correct typographic, grammatical, arithmetic or other similar errors in a decision or order, or
- deal with an obvious error or inadvertent omission in a decision or order.

The applicants' requests for correction include a question asking why the utility bill was not addressed in the Decision and as well as asserting that their rental unit key was given to their son and not a new tenant.

The following information was submitted to support the request:

- the Request for Correction form and Request Details, listing two items.

Residential Tenancy Policy Guideline 25 states that an "obvious error" is a "*mistake which is immediately and clearly apparent to the arbitrator upon re-reading the evidence or reviewing the arbitrator's own notes. An obvious error does not include a different interpretation or assessment of facts or law applicable to the hearing or a change of mind about the outcome of the hearing or the arbitrator's decision.*"

*An example of an "obvious error" would be if the evidence was that the couch was white and the arbitrator misread the evidence of colour and found it was red."*

I find the submissions of the applicants are not requests to correct an obvious error, math error and inadvertent omission; rather the question posed and re-affirmation of statements made at the hearing are an attempt to change the outcome of the hearing, not correct the Decision.



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I have re-read my Decision, notes and evidence and I reaffirm my Decision and Order of November 2, 2011.

## **Request for Clarification of: Decision and Order**

Date of Original Hearing: October 25, 2011

Date of Original Decision: November 2, 2011

Request for Clarification from: Landlords:

Request for Clarification dated: November 17, 2011

## **DECISION ON REQUEST FOR CLARIFICATION**

The applicants have requested a clarification to the Residential Tenancy Branch Decision dated November 2, 2011.

Section 78 of Residential Tenancy Act enables the Residential Tenancy Branch to clarify a decision or order.

The applicants' requests for clarification include a question asking why the utility bill was not addressed in the Decision and as well as asserting that their rental unit key was given to their son and not a new tenant.

The following information was submitted to support the request:

- the Request for Correction form and Request Details, listing two items.

**Residential Tenancy Policy Guideline 25** states that requests for clarification "may be requested if a party is unclear about or does not understand the arbitrator's decision, order or reasons. Clarification allows the arbitrator to explain, but not to change, the decision."

I have reviewed your request for clarification and I find that an explanation is appropriate. In this case, the issue of the utility bill was not addressed as the same was not listed in your Application for a monetary order. I addressed the separate items listed



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in the monetary worksheet, which did not include a request for reimbursement of a utility bill.

In the matter of Issue #2 of your Request, the “next tenant” was intended as your son, which was referenced earlier in my Decision. At the time of making the Decision, I understood the next occupant of the rental unit was your son and no other meaning was intended by the use of the “next tenant.” This had no impact on my Decision.

This decision made on **clarification and correction** 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 18, 2011

Residential Tenancy Branch