



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION ON REQUEST FOR CLARIFICATION

Dispute Codes: CNR FF OLC

The applicant has requested a clarification of the Residential Tenancy Branch review decision dated December 6, 2011.

Section 78 of Residential Tenancy Act / Section 71 of the Manufactured Home Park Tenancy Act enable the Residential Tenancy Branch to clarify a decision or order.

The applicant requests clarification on the consideration of evidence of fraud submitted by the Landlord on December 2, 2011 in relation to a request for review of the original decision. The Landlord initially filed his application for review of that original decision on December 1, 2011 with only evidence of new and relevant evidence.

The following information was submitted to support the request:

- The Landlord's statement that the Tenant fraudulently states that the Landlord insisted that the water bill be placed in the Tenant's name; and
- A two page print out from the water department indicating that the Tenant changed the account name from the Landlord to the Tenant.

I find that the evidence supports the request for a clarification as this evidence was, by omission, not considered in the review decision. I therefore clarify the review decision to indicate that the evidence of fraud submitted by the Landlord does not affect the original decision as information that the Tenant changed the water bill into the Tenant's name was considered in the original decision and the Landlord's argument that the Tenant had no right to change the account name was rejected.

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: December 13, 2011

Residential Tenancy Branch