



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION ON REQUEST FOR CLARIFICATION

Dispute Codes: FF MNR MNSD O OPR

The applicant has requested a clarification of the Residential Tenancy Branch Decision dated January 23, 2012.

The Applicant requests clarification on:

1. the reasons contained in the decision for finding that the Landlord was not entitled to the full monetary amount claimed;
2. why the Landlord's application was heard at the same time as the Tenant's application; and
3. why the Tenants were provided a monetary award for a loss that was not specified on the Tenant's application.

Section 78 of Residential Tenancy Act provides that the director must not act under this section unless the director considers it just and reasonable to do so in all circumstances.

I find that the Applicant's request under the first and last item to be a request for a reconsideration of the findings and reasons provided in the Decision and is not properly a request for a clarification.

I find that the Applicant's request under the second item is in relation to the administration of the scheduling of Hearings and not properly in relation to the Decision.

Given these findings, I consider that it would be unjust and unreasonable to carry out a clarification of the Decision and I therefore dismiss the Applicant's request.

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: February 28, 2012.

Residential Tenancy Branch



Residential Tenancy Branch

RTB-136

Now that you have your decision...

All decisions are binding and both landlord and tenant are required to comply.

The RTB website (www.rto.gov.bc.ca) has information about:

- How and when to enforce an order of possession:
Fact Sheet RTB-103: *Landlord: Enforcing an Order of Possession*
- How and when to enforce a monetary order:
Fact Sheet RTB-108: *Enforcing a Monetary Order*
- How and when to have a decision or order corrected:
Fact Sheet RTB-111: *Correction of a Decision or Order*
- How and when to have a decision or order clarified:
Fact Sheet RTB-141: *Clarification of a Decision or Order*
- How and when to apply for the review of a decision:
Fact Sheet RTB-100: *Review Consideration of a Decision or Order*
(Please Note: Legislated deadlines apply)

To personally speak with Residential Tenancy Branch (RTB) staff or listen to our 24 Hour Recorded Information Line, please call:

- Toll-free: 1-800-665-8779
- Lower Mainland: 604-660-1020
- Victoria: 250-387-1602

Contact any Service BC Centre or visit the RTB office nearest you. For current information on locations and office hours, visit the RTB web site at www.rto.gov.bc.ca