



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW CONSIDERATION DECISION

Dispute Codes: FF MNDC O

Introduction

The Applicant/Tenant applies for review of the decision on the basis that he has evidence that the decision was obtained by fraud.

Division 2, Section 79(2) under the *Residential Tenancy Act* says a party to the dispute may apply for a review of the decision. The application must contain reasons to support one or more of the grounds for review:

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.

Issues

Has the Tenant provided evidence of fraud?

Facts and Analysis

The Tenant submits that the Landlord fraudulently provided evidence that the Tenant's monthly rent was \$1,100.00 per month. The Tenant submits that the Landlord had entered into a verbal agreement with the Tenant to reduce the rent to \$1,000.00. The tenancy agreement provides that the rental amount is \$1,100.00.

As the Tenant has provided evidence only of a verbal agreement, I find that this evidence does not provide sufficient evidence to alter the term of the tenancy

agreement. Accordingly, I find that the Tenant has not provided evidence of fraud and the application is dismiss.

Decision

The application for review is dismissed and the decision made on May 9, 2012 stands.

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 5, 2012.

Residential Tenancy Branch