



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION ON REQUEST FOR CORRECTION and CLARIFICATION

The applicant has requested a correction to and a clarification of a decision of the Residential Tenancy Branch dated May 23, 2012.

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 applicant requests a correction to a finding that the landlord moved into the unit and had the good faith intention to move the family into the unit.

The Tenant submits that the evidence considered was not relevant to the finding or that no evidence was provided at the Hearing to make the finding above.

I find that the evidence does not support the request for the following reason: The Tenant has not identified an obvious error or inadvertent omission in the Decision. The Tenant appears only to take exception to the findings. As such, section 78 of the Act does not apply to the submissions and arguments of the Tenant and I dismiss the application for a correction.

The applicant requests clarification of the evidentiary weight of the Landlord's employment and other evidence and asks how this satisfies the requirements of Section 51 of the Act that the Landlord demonstrated a "good faith intention". The Decision accepts the employment evidence as the basis, on a balance of probabilities, for the good faith intention and I find that any further clarification request is in reality a request for a review of this finding.

The applicant seeks clarification of how the Tenant's evidence was found to be weak in relation to the claims of the Tenant. The Tenant sets out argument and evidence showing why their evidence was not weak. I find that the Tenant's application does not support a request for a clarification. I find that the Tenant is restating evidence and argument. Accordingly, I dismiss the request for clarification.



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The original decision and order stand.

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: July 3, 2012

Residential Tenancy Branch