



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, O

Based on the testimony of the tenant, I find that the issues in dispute were previously heard on May 23, 2012 and that a decision was rendered on that same day.

Black's Law Dictionary defines *res judicata*, in part as follows:

Rule that a final judgment rendered by a court of competent jurisdiction on the merits is conclusive as to the rights of the parties and their privies, and, as to them, constitutes an absolute bar to a subsequent action involving the same claim, demand or cause of action.

Following from the above, I find that the tenant had made a previous application for a monetary order for the same claims as he has made in his application dated May 23, 2012. The Dispute Resolution Officer made a decision on May 23, 2012. Therefore based on the definition of *res judicata* I must dismiss the tenants' application.

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: October 29, 2012.

Residential Tenancy Branch