



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNC

Introduction

This matter dealt with an application by the Tenant for more time to apply to cancel a Notice to End Tenancy and to cancel a One Month Notice to End Tenancy for Cause.

On July 23, 2012, the Landlord's application for an early end to the tenancy was heard. A Decision issued on the same date states that the Tenant's advocate (at that time) and the Landlord agreed that the tenancy would end and that the Landlord would receive an Order of Possession to take effect on August 31, 2012. The Tenant has now applied to set aside that Decision as he claims that he did not authorize his advocate to enter into an agreement to end the tenancy.

However the Tenant cannot have this matter re-heard by re-applying for a new hearing. If the Tenant is disputing a previous decision, he must first file an Application for a Review with the Residential Tenancy Branch within the prescribed time limits under the Act (as long as the Landlord has not already taken steps to enforce the Order of Possession). If the Tenant is successful on his Review application, only then would the Landlord's application be set down for re-hearing. Alternatively, the Tenant may apply for Judicial Review in the Supreme Court of British Columbia.

Conclusion

The Tenant's application in this matter is dismissed without leave to reapply. 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 01, 2012.

Residential Tenancy Branch