



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **REVIEW CONSIDERATION DECISION**

Dispute codes: MND MNDC

### Basis for Review Consideration

Section 79(2) of the Residential Tenancy Act (Act) states that 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.

### Applicant's Submission

The decision was received by the landlord on February 22, 2013.

On March 21, 2013 the landlord submitted her Application for Review Consideration and on March 27, 2013 the landlord's Application was finalized and completed.

The landlord submitted that she was not sure if the application was late and that she has worked every day, so may have applied for review consideration after the required time allowed. The landlord also indicated that she applied on March 3, 2013.

### Analysis

The Application for Review Consideration was made in relation to a decision issued in which the landlord's claim for compensation was dismissed. The Application directs the applicant to submit their request for review no later than fifteen days after receipt of the decision.

From the evidence before me the landlord did not apply within fifteen days of February 22, 2013. There was no evidence before me that the Application was made on March 3, 2013; the Application was signed by the landlord on March 4,

2013, it was date stamped as initially received by the Residential Tenancy Branch on March 21, 2013. Even though the landlord was working and busy, she was required to make the Application within the required time-frame; by March 9, 2013.

Therefore, as the landlord failed to submit the Application for Review Consideration within the time-frame required, I find that the Application is dismissed and the original decision is confirmed.

### Conclusion

The application is dismissed and the original decision is confirmed.

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: April 03, 2013

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Residential Tenancy Branch