



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## REVIEW CONSIDERATION DECISION

### **Decision: Leave for Review Denied**

**Original Decision and Order dated April 25, 2013 confirmed**

Dispute Codes: CNR LAT MNDC MNR O

### Introduction

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.

## **REVIEW DECISION**

The applicant has applied on the grounds that they have new and relevant evidence that was not available at the time of the hearing. The tenant has stated in their application that they have a receipt to prove that they had incurred an expense to repair the lock. The tenant did not provide a copy of this receipt and without any documentary evidence to support their claim I dismiss this portion of their application.

The applicant has also applied on the grounds that a party has evidence that the director's decision or order was obtained by fraud. When asked to describe or list the fraudulent evidence, the applicant stated "the landlord lied". The applicant has not submitted any documentary evidence to support this portion of their application. In

addition the applicant participated in the teleconference hearing and was given an opportunity to dispute any and all evidence provided by the landlord. Based on the above I dismiss this portion of the tenants' application.

For the above reasons I dismiss the application for leave for review. The original decision and order dated April 25, 2013 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: May 08, 2013

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Residential Tenancy Branch