



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW CONSIDERATION DECISION

Dispute Codes: FF MNDC MNR MNSD OPR

Decision: Leave for Review Denied

Original Decision and Order dated May 23, 2013 confirmed

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 applicants have applied on the grounds that they were unable to attend the original hearing because of circumstances that could not be anticipated and were beyond the party's control. The applicants stated that they were working out of town at the time of the hearing and that they "got my days mixed up" and "thought it was on Tuesday not Thursday". This is not a sufficient reason for the applicants to be successful in their application. The applicants have not met the test as outlined above in #1 and have not provided any grounds to have the matter reviewed and reheard.

For the above reasons I dismiss the application for leave for review. The original decision and orders dated May 23, 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 29, 2013

Residential Tenancy Branch