



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

CORRECTION REQUEST

Dispute Codes: MNR MNSD OPR; AAT CNR FF LAT MNDC MT O OPT

The tenant requests the Arbitrator to correct and deal with a math error in the Decision and Reasons and Order to correct the amount of rent owing.

LEGISLATION AND POLICY

Section 78 of the Residential Tenancy Act deals with correction or clarification of decisions or orders, it states:

78(1) Subject to subsection (2), the director may, with or without a hearing,

78(1) (a) correct typographic, grammatical, arithmetic or other similar errors in his or her decision or order,

78(1.1) (b) at the request of a party, which request, for subsection (1) (b)

(c) Must be made within 15 days after the decision or order is received.

78(2) A request referred to in subsection (1.1) (b) may be made without notice to another party, but the director may order that another party be given notice.

The Legislation allows an arbitrator to correct a mathematical error or inadvertent omission. This provision allows an arbitrator to reopen an order or decision to provide relief that might otherwise only be available to a party under the *Judicial Review Procedure Act*.

FINDINGS

In examining my decision dated May 16, 2013, I find that I relied on the tenant's rent statements noted in evidence as CORRECT which were well supported by other evidence such as bank statements and cheques. However, I note that I calculated 6 months rent including utilities (\$1342.00 x6) instead of 5 months rent and utilities to get the amount of \$8052 owing to the end of May 2013.

In the amended Decision and Reasons and Order enclosed, the mathematical error is corrected to show \$6,710 should be the rent and utilities due to May 31, 2013.

I HEREBY ORDER that the original Order dated May 16, 2013 is set aside. An amended order dated June 10, 2013 is enclosed.

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: June 10, 2013

Residential Tenancy Branch