



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW CONSIDERATION DECISION

Introduction

On July 10, 2013 a dispute resolution hearing was conducted to resolve a dispute between these two parties. The Landlord had applied for a monetary order for unpaid rent. Both parties attended the hearing and gave evidence. The Landlord's application was granted. The Tenant has applied for review of this decision.

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.

Issues

Does the applicant have new and relevant evidence that was not available at the original hearing that could change the decision?

Facts and Analysis

The applicant states, "I have asked for a copy of my new lease from Gorski and Mancel that ended my first lease with Hogg. At this time Hogg's lease became null and void." The applicant has also provided the contact information for Mr. Gorski.

I find that the applicants ground for review do not constitute new evidence. The applicant has provided a copy of a signed tenancy agreement dated December 1, 2011 that was previously submitted into evidence at the original hearing. The applicant has also submitted copies of a rent receipt (previously submitted for the original hearing) and the applicants resume. The applicant has failed to satisfy me that there is new and relevant evidence that could change the decision made on July 10, 2013. The applicant has also failed to show how this would be relevant. It seems that the applicant seeks to re-argue the merits of the original hearing. The Tenant's application for review is denied.

Decision

The Tenant's Application for review is denied.

The decision made on July 10, 2013 stands.

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: August 02, 2013

Residential Tenancy Branch