



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

Review Consideration Decision

Dispute codes: FF MNDC MNR OPC

Introduction

This matter came before me as a result of an application by the tenant for an order for a new hearing on a matter for which a final decision was issued on November 13, 2013. The tenant applied on the basis that she has new and relevant evidence.

Facts and Analysis

In her application, the tenant stated that she wants an extension to gather her evidence, which would include "support letters from all my nieghbors a well as a charactor reference letters from the people of my surroundings." (reproduced as written) The tenant further stated that she "was not able to get a whole of every body on time. as well I am always in and out of town." (reproduced as written)

In order to establish grounds to open this matter for a new hearing, the tenant must prove that she has new and relevant evidence. The tenant submitted no evidence with her application, but rather appears to be asking for time to create this evidence by obtaining witness statements. This intention to create evidence does not satisfy the test that she is required to meet.

Further, pursuant to section 81(1)(b)(iii), I may dismiss an application if it discloses no basis on which the decision would be set aside or varied. The tenant has indicated that she wishes to obtain character references and letters of support. The Arbitrator in the original hearing made her decision that the tenancy was over on the basis of the terms of the tenancy agreement which she found clearly identified October 31, 2013 as the last day of the tenancy. I find that support letters and character references would have no impact on the terms of the tenancy agreement and therefore would not have changed the Arbitrator's decision.

Conclusion

The application for review is dismissed. The decision issued November 13, 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: November 28, 2013

Residential Tenancy Branch