



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for a monetary order for money owed or compensation under the Act.

The tenant appeared.

### Preliminary matter

At the outset of the hearing the tenant informed me that the parties were at a dispute resolution hearing on December 6, 2013, which dealt with cross-application. Upon review of the decision, the tenant's application was seeking a monetary order for money owed or compensation under the Act, in the amount of \$21,812.50.

At the hearing on December 6, 2013, the parties agreed to settle their respective disputes. The settlement agreement stated that both parties understood and agreed that the terms of the agreement comprise the full and final settlement of all aspects of this dispute for both parties.

On December 24, 2013, the tenant filed a subsequent application, seeking compensation in the amount of \$21,812.50, for the same issued that heard on December 6, 2013.

I find that due to the legal principal of Res judicata, I cannot grant the tenant's request to hear the issue of the monetary compensation as this matter was already heard and decided upon at the hearing of December 6, 2013, by settlement agreement.

Additionally, section 80 of the Act sets out the time frames in which a Review of a decision can be applied for. The tenant did not file for a review as required by the Act.

Therefore, I dismiss the tenant's application without leave to reapply.

### Conclusion

The tenant's application is dismissed without leave to reapply.

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: February 14, 2014

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Residential Tenancy Branch

