



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

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:

- a. A party was unable to attend the original hearing because of circumstances that could not be anticipated and were beyond the party's control.
- b. A party has new and relevant evidence that was not available at the time of the original hearing.
- c. A party has evidence that the director's decision or order was obtained by fraud.

Issues

Has the Tenant filed an application for Review Consideration listing reasons to support a ground for review?

Facts and Analysis

The Tenant filed an application for Review Consideration listing the file number, his name, the address of dispute, the date of the Decision and Order of April 15, 2014, and the date he received the Decision and Order on July 2, 2014.

Section 79(3) of the Act stipulates that an application for review of a decision or order of the director

(a) must be made in the approved form and in the manner approved by the director,

(b) must be accompanied by the fee prescribed in the regulations,

(c) must be accompanied by full particulars of the grounds for review and the evidence on which the applicant intends to rely, and

(d) may be made without notice to any other party

[my bolding added]

Section 79(5) provides that the director may refuse to accept an application for review of a decision or order of the director if the application does not comply with subsection (3).

The Tenant did not provide reasons on his application for Review Consideration to support any of the above listed grounds for review. Accordingly, I decline to accept this application for Review Consideration as no particulars for the grounds of review were provided.

Decision

The Tenant's application for Review Consideration is HEREBY DISMISSED, without leave to reapply.

The Decision and Order made on April 15, 2014 stand, and are of full force and effect.

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: July 14, 2014

Residential Tenancy Branch