



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW CONSIDERATION DECISION

Introduction

The Tenant applies for an extension of the time to make an application for a review of the above noted Decision on the grounds of an inability to attend the Hearing.

Issues

Is the Tenant entitled to an extension of time?

Facts and Analysis

The Tenants did not indicate in their application the date they received the above noted Decision. In response to why they were unable to make their application within the time frame required, the Tenants submit that they were unable to “attend” due to medical and mental health issues, evaluations and treatment for four months. There is no indication who experienced these problems or when they were experienced. The Tenants provide these same submissions for reasons why they could not attend the Hearing.

Section 80 of the Act provides that a an application for review of a decision dealing with subject matter such as that contained in the above noted Decision must be made within 15 days receipt of the decision. There is no evidence to indicate when the Decision was received however given their application for more time I accept that the Tenants did not make an application within 15 days of receipt of the Decision.

Section 66 of the Act provides that a time limit may only be extended in exceptional circumstances. Given that there is no evidence in relation to who suffered the problems or when they occurred, I cannot determine that any exceptional circumstances occurred that would have stopped the Tenants from making a review application within

the time required. As the Tenants have not met the time limit required to make the application for the review, no review can be made and I dismiss the Tenants' application for a review.

Decision

The Tenant's application for review is dismissed. The Decision made on December 24, 2012 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: November 26, 2014

Residential Tenancy Branch