



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

The Arbitrator at the new hearing may confirm, vary, or set aside the original decision.

On October March 24, 2015, the Arbitrator granted the landlord a monetary order for unpaid rent and an order of possession.

On March 25, 2015, the tenant filed an application for review consideration, which was granted on the basis that they had new and relevant evidence. The Arbitrator ordered the parties to participate in a new hearing, and the original decision and orders were suspended.

The Arbitrator ordered the tenant to serve the landlord within 3 days a copy of the of review hearing decision and a copy of the notice of reconvene hearing.

The landlord's agent appeared and was ready to proceed. The tenant did not appear.

Preliminary matter

The landlord's agent testified that the tenant did not serve them with the review consideration decision or notice of review hearing. The agent stated that this matter came to their attention when they contacted the Residential Tenancy Branch and were then give the conference call information.

The landlord's agent testified that the original decision and orders should be confirmed as their evidence has not changed. The agent stated that any evidence that the tenant may have submitted with their review consideration application should not be considered at it has not been served on the landlord. The agent stated that the tenant

has falsified documents in the past, such as using the landlord's signature to falsify a bank document.

In this case, the new hearing was granted on the ground that the tenant had new and relevant evidence that was not available at the original hearing. The tenant did not attend the new hearing to present any new evidence and did not serve the landlord with their evidence as order in the review consideration decision. As the landlord's evidence has not change from the original hearing, I find it appropriate in this circumstance to confirm the original decision and orders made on March 25, 2015.

Conclusion

The original decision and orders made on March 25, 2015, are 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: May 13, 2015

Residential Tenancy Branch

