

# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION ON REQUEST FOR CORRECTION**

The tenant applicant in this matter has requested a correction to a Decision and Order of the Residential Tenancy Branch dated April 7, 2016.

Section 78 of the *Residential Tenancy Act* enables the Residential Tenancy Branch to:

- correct typographic, grammatical, arithmetic or other similar errors in a decision or order, or
- deal with an obvious error or inadvertent omission in a decision or order.

The tenant has made the application for corrections of the Decision made on April 7, 2016 pursuant to the *Act* alleging that the Decision contains factual errors. A copy of the Decision is attached to the Application for Correction which has numerous portions underlined in the Background and Evidence section as well as in the Analysis of the Decision.

The tenant requests a correction with respect to what the tenant refers to as factual errors.

The following information was submitted to support the request:

- Copies of documents that were submitted into evidence at the original hearing;
- An explanation sheet stating that:
  - an error exists in the Decision about rental arrears on Page 1;
  - an error exists in the Decision regarding by-laws prohibiting residing in a cabin without a septic system or ventilation, and that it cannot be used as a dwelling unit, on Page 2;
  - an error exists in the Decision respecting a by-law infraction for failure to obtain permits.

I have reviewed the Decision and I find that those matters were not findings made by me but were testimony taken from the landlord, and the tenant's application for me to correct that cannot be granted.

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The tenant's explanation document also refers to underlined portions of the Analysis portion of the Decision:

- a statement that the landlord must not have any dishonest intent when issuing a 2 Month Notice to End Tenancy for Landlord's Use of Property, and that the notice is found to be in the approved form and contains information required by the *Act*;
- a statement regarding the address of the rental unit;
- a statement referencing testimony given by the landlord about a requirement by the Regional District; and
- a statement that I found no evidence of any ulterior motive for issuing the notice to end the tenancy.

The tenant's explanation document contains numerous paragraphs which I find are an attempt to re-argue the case. As stated above, the tenant may apply for a correction to:

- correct typographic, grammatical, arithmetic or other similar errors in a decision or order, or
- deal with an obvious error or inadvertent omission in a decision or order.

I have reviewed the Decision and the notes that I made at the time of the hearing, and I find that the testimony heard at the time of the hearing is reflected in the Decision.

The tenant's application for a correction of the Decision and order is hereby denied. A copy of this Decision is provided to the parties.

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: April 28, 2016

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Residential Tenancy Branch