



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding HFBC HOUSING FOUNDATION BC
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MT CNC

Introduction

This hearing was convened in response to a late application by the tenant for *more time* to file an application disputing a Notice to End; and, if successful, to cancel the landlord's Notice.

Both of the parties attended the hearing with benefit of respective representation. At the outset of the hearing it was identified a hearing took place on June 24, 2016 in which the landlord's application for an Order of Possession was heard. The hearing resulted in the landlord's Notice being upheld with an ancillary Order of Possession to the landlord, effectively ending the tenancy. The landlord testified they rely on the determinations and pronouncement of the June 24, 2016 hearing that the tenancy is ending.

Analysis and Conclusion

Counsel for the landlord aptly submitted the matter before this hearing had been concluded in a previous hearing: ending the tenancy with a resulting Order of Possession to the landlord. I find this to be the case.

I find this application is *res judicata* as it has already been decided in the appropriate forum, and I therefore must **dismiss** the tenant's application.

This Decision is final and binding on both 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: June 28, 2016

Residential Tenancy Branch