



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPUM-DR, FFL

### Introduction

On July 12, 2018, the Landlord submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (“the Act”) to enforce a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, dated June 4, 2018, for a monetary order for outstanding utilities and to recover the filing fee for this application. The matter was set for a conference call.

Only the Landlord’s counsel attended the hearing and was given an opportunity to be heard, to present testimony, to make submissions and to call witnesses.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter is described in this Decision.

### Preliminary and Procedural Matters

At the start of the hearing, it was acknowledged by the Landlord’s counsel that a previous arbitration hearing had been held on July 27, 2018, regarding the matter before me today.

I have reviewed that decision, and I find that this application contains the same issues and concerns that were considered and decided on in an earlier hearing. This application for an order of possession, a monetary order and the recovery of the filing is dismissed in its entirety.

Conclusion

I am unable to consider the application as this matter has already been subject to a final and binding decision, dated August 2, 2018, by an Arbitrator appointed under the *Act*.

The Application is dismissed without leave to re-apply.

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: September 10, 2018

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Residential Tenancy Branch