



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding NINTH STREET HOLDINGS LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      FFL, OPL-4M

This matter was scheduled for a conference call on this date for 11:00 a.m. The landlord participated in the teleconference, the tenant did not. The landlord advised that the parties had a hearing in regards to this matter on September 18, 2018 and that the landlord had been granted an order of possession.

Black's Law Dictionary defines *res judicata*, in part as follows:

Rule that a final judgement rendered by a court of competent jurisdiction on the merits is conclusive as to the rights of the parties and their privies, and, as to them, constitutes an absolute bar to a subsequent action involving the same claim, demand or cause of action. Therefore based on the definition of *res judicata* I must dismiss the landlord's application.

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 21, 2018

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Residential Tenancy Branch