



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION ON REQUEST FOR CLARIFICATION

Dispute Codes: MND MNDC MNR MNSD

The applicant has requested a clarification to the Residential Tenancy Branch decision dated October 11, 2013. Section 78 of Residential Tenancy Act enables the Residential Tenancy Branch to clarify a decision or order.

The applicant requests a clarification because she states that “*The landlord is very confused by and does not understand “which reasons mentioned above” support the decision*”

The configuration or layout of the house was probably the main reason for the difficulty in finding a new tenant despite showing the house at least 25 times over the period of early May to the end of August. The configuration of the house, the number of showings over a period of almost four months and the cooperation of the tenants in showing the house are all factors that played a role in determining that the rental unit was difficult to rent. The configuration of the house is something the tenants had no control over.

The landlord has attached a copy of the decision with notes questioning various statements of the decision. Upon review of the landlord's questions, it appears that the landlord is attempting to re-argue the case. The landlord may disagree with the Arbitrator's findings of fact, but a request for clarification is not designed to provide parties a forum in which to rebut findings by the Arbitrator or to allege an error of fact or law. The applicant is free to apply for judicial review in the Supreme Court, which is the proper forum for bringing allegations of error.

The original decision dated October 11, 2013, stands.

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: December 10, 2013

Residential Tenancy Branch