

Legislation:

Section 199 of the *Residential Tenancies Act (the "RTA")*

18.1 Where an application is created as the result of the severing of another application, any procedural requirements that were satisfied, or procedural issues resolved in the original application continue to apply to the severed application, unless a Member decides otherwise.

This Rule ensures that a party's rights are not prejudiced in situations where the Board determines that an application will be severed into a number of separate applications. For example, if the Member dealing with the original application grants a party's request to close the file to the public, the party who made the request would not have to make this request again where another application was created as a result of severing. However, a Member could determine that because of the severing, the issues raised which lead to the closing of the original file are now not applicable to all of the applications, and those applications where public access is no longer an issue could be opened to the public.