



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

MNSD and FF

Introduction

This hearing was in response to an Application for Dispute Resolution, in which the Tenant applied for the return of double her security deposit and to recover the filing fee from the Landlord for the cost of filing this application.

The Tenant and an Agent for the Landlord were present at the hearing. The Agent for the Landlord stated that she has acted on behalf of the Landlord but that she is not the Landlord and that she has never entered into a tenancy agreement with the Landlord. She asked that her name be removed from the Application for Dispute Resolution.

The Tenant stated that she entered into a tenancy agreement with the Agent for the Landlord's husband and that she was directed by the Landlord to communicate with the Agent for the Landlord for all matters relating to this tenancy. She stated that she did not name the Landlord on her Application for Dispute Resolution because she believed she was only supposed to communicate with the Agent for the Landlord.

Analysis

I find that the Tenant entered into a tenancy agreement with a person who is not named on the Application for Dispute Resolution. I find that she did not enter into a tenancy agreement with the person named on the Application for Dispute Resolution.

Conclusion

As the person named on the Application for Dispute Resolution is not the Landlord I hereby dismiss the Application for Dispute Resolution. The Tenant retains the right to file another Application for Dispute Resolution, in which she names the Landlord as the respondent.

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: November 10, 2009.

Dispute Resolution Officer