



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

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DECISION

Dispute Codes CNR, MNR, MNDC, ERP, RP, FF

Introduction

This hearing dealt with the tenants' Application for Dispute Resolution for a monetary order for compensation for damages or loss and for repairs.

Issues(s) to be Decided

The issues to be decided are whether the tenants are entitled to a monetary Order for compensation for loss and damages under the Act and to recover the filing fee from the tenants for the cost of the Application for Dispute Resolution, pursuant to sections 32, 33, 67, and 72 of the *Residential Tenancy Act (Act)*.

Preliminary Issues

The original Application for Dispute Resolution submitted by the applicant listed the landlord's agent (caretaker) as the landlord. The agent appeared at this hearing with his legal counsel indicating that he is not the landlord and he is not willing to act on behalf of the landlord.

Both the tenancy agreement and 10 Day Notice to End Tenancy for Unpaid Rent list the company name of the landlord. As a result and with the agreement of the applicant tenant the Application has been amended to reflect the proper landlord name.

The landlord's agent (caretaker) could not provide an address for the landlord company and as such I have ruled that until such time that the agent can provide a contact person name and address for service, the agent's (caretaker) address is sufficient for purposes of document service for this matter.

Conclusion

As a result I have adjourned this hearing. Enclosed with this decision is a copy of the Notice of Reconvened Hearing.

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: January 22, 2010.

Dispute Resolution Officer