



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      OPR, OPB, MNSD, MNR, FF

### Introduction

No hearing was held today as the landlord had written an incorrect name for the tenant on his application. The tenant appeared at the hearing and states that he was not correctly served with the hearing documents as the named person on the application did not refer to him.

The Residential Tenancy Policy Guidelines #23 states: parties who are named as applicant and respondent on an application must be correctly named. If they are not correctly named, the application may be dismissed, or any orders made by the Dispute Resolution Officer may not be enforceable. When both parties are present at the hearing the dispute resolution officer may amend the application to show the correct name. However, in this instance the tenant who appeared states that he has not been served correctly with the hearing documents as the last name given on the application is not his name and therefore he contends that the correct tenant was not served.

Therefore, it is my decision that the correct tenant has not been served with the hearing documents and the landlords' application is dismissed with leave to reapply.

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: August 10, 2010.

---

Dispute Resolution Officer