



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDC, MNSD, O, FF

This hearing dealt with an application by the tenants for a monetary order. Both parties participated in the conference call hearing.

The parties agreed that the matters at issue were dealt with in a previous dispute resolution hearing held on November 8, 2011. In a decision issued November 22, 2011, Dispute Resolution Officer \* issued a monetary award for \$1,329.00 in favour of the tenants. In their previous claim, the tenants had named “\*” as the respondent. The tenants attempted to file that order in the Small Claims Division of the Provincial Court and discovered that “\*” is a nickname and that the landlord’s legal name is “\*”. At the hearing the landlord confirmed his legal name.

As the claim has already been heard and adjudicated on its merits, I did not hear any evidence as the matter is *res judicata*. I consider this application to be a claim for an amendment and in the circumstances, I find it appropriate to issue a new order in which the style of cause is changed to reflect the landlord’s legal name. The decision of Ms. \* issued on November 22, 2011 remains in full effect but her order issued on the same day is set aside and replaced by my order which is identical on its terms but adds “\*” as the legal name of the landlord.

I note that since the November 22 hearing, the tenants have successfully negotiated a cheque from the landlord for \$525.00. I am unable to change the amount of the order in the circumstances, but I note that the \$525.00 payment serves to reduce the enforceable amount of the order to \$804.00.

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: March 13, 2012

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Residential Tenancy Branch