



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, RRP, O

Introduction

This matter dealt with an application by the Tenant for a Monetary Order for compensation for loss or damage under the Act, regulations or tenancy agreement, for the return of the Tenant's personal property and for other considerations.

The Tenant said she served the Respondent with the Application and Notice of Hearing (the "hearing package") by registered mail on August 17, 2012. Based on the evidence of the Tenant, I find that the Respondent was served with the Tenant's hearing package as required by s. 89 of the Act and the hearing proceeded with Tenant and the Respondent in attendance.

The Respondent said she is no longer in the employ of the owners of the rental complex and she believes the Tenant has serviced the wrong party as the Landlord. The Respondent said the Tenant should have served the owners/landlords of the rental complex as the Tenant did in previous applications because the Respondent is no longer an agent for the landlords. The Respondent included a copy of her letter of employment termination from the owners/landlords of the rental complex dated July 31, 2012. As the Tenant's application is dated August 16, 2012, which is after the Respondent left the employment of the Landlord the Tenant should have served the owners/landlords with the Tenant's application not the Respondent named in this application. Consequently the Tenant has not served the Landlords as required by section 89 of the Act. As a result, I dismiss the Tenant's application with leave to reapply so that the Tenant can serve the correct Landlords.

Conclusion

The Tenant's application is dismissed as the Landlords were not served the application and Hearing package.

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*.

Residential Tenancy Branch