



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

This hearing was scheduled to hear a tenant's application for return of a security deposit. The three named applicants were represented by an agent at the hearing. The landlord did not appear at the hearing. I was provided a copy of a registered mail receipt, including tracking number, as proof of service upon the landlord. I was also provided a letter, purportedly from the landlord, indicating the landlord would not be in attendance at the hearing because she was to be out of the country on the date of the hearing. I accepted that the landlord was served with the tenants' application and I continued to hear from the tenants' agent.

I was provided evidence that each named applicant signed a different tenancy agreement with the landlord and that each named applicant was required to pay a security deposit and monthly rent under their own tenancy agreement.

In the above described situation, Applications for Dispute Resolution should have been filed for each tenant. Where disputes involve the same landlord, the same residential property, similar issues, and similar remedies are sought, applicants may request that their Applications be joined and heard together.

Procedurally, I found the Application for Dispute Resolution before me to be flawed as three tenants, under three separate tenancy agreements, had applied under a single Application for Dispute Resolution. Further, I found the Application did not contain sufficient particulars as to the nature of the dispute, as required under the Act. For these reasons, I dismiss the Application for Dispute Resolution with leave to reapply. The parties are at liberty to submit new Applications for Dispute Resolution that comply with the requirements of the Act and Rules of Procedure.

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 02, 2013.

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Residential Tenancy Branch

