



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes O

Introduction

This matter dealt with an application by the Tenant to amend a previous monetary Order.

The Tenant said he served the Landlords with the Application and Notice of Hearing (the “hearing package”) by registered mail on February 9, 2013. Based on the evidence of the Tenant, I find that the Landlords were served with the Tenant’s hearing package as required by s. 89 of the Act and the hearing proceeded in the absences of the Landlords.

Issues(s) to be Decided

1. Is the Tenant entitled to an Order to amend the previous monetary Order?

Background and Evidence

This tenancy started on June 1, 2011 as a fixed term tenancy for 3 months and then was renewed for 12 months. Rent was \$850.00 per month payable in advance of the 1st day of each month. The Tenant paid a security deposit of \$425.00 on June 1, 2011.

The Tenant said he received a monetary Order dated July 25, 2012 for the amount of \$850.00. The Tenant continued to say that the female Landlord is difficult to contact and to serve with the Order so he is requesting to add the male Landlord to the original Order. The Tenant said he was not sure of the male Landlord’s name at the time of his first application so he did not put the male Landlord’s name of the application. Consequently the male Landlord’s name is not on the monetary Order.

The Tenant requested the male Landlord’s name be put on the monetary Order because the Tenant thinks the male Landlord would be easier to serve the Order to.

Analysis

Parties can be served joint or several with respect to tenancy disputes when a monetary Order is being requested. Consequently the Tenant has a valid and enforceable monetary Order for the Landlord of the tenancy in question.

In addition I cannot change or modify an existing decision or Order determined and granted by a previously Arbitrator; therefore I dismiss the Tenant's application to amend the monetary Order dated July 25, 2012 in the amount of 850.00. The monetary Order dated July 25, 2012 in the amount of \$850.00 stands in full effect.

Conclusion

I dismiss the Tenant's application to amend the previous monetary Order without 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: March 05, 2013

Residential Tenancy Branch

