



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing dealt with the tenants' Application for Dispute Resolution seeking a monetary order.

The hearing was conducted via teleconference and was attended by the female tenant.

The applicants provided documentary evidence that the respondent was served with the notice of hearing documents and this Application for Dispute Resolution, pursuant to Section 59(3) of the *Residential Tenancy Act (Act)* by registered mail on July 2, 2014 in accordance with Section 89. As per Section 90, the documents are deemed received by the respondent on the 5th day after it was mailed.

Based on the evidence of the applicants, I find that the respondent has been sufficiently served with the documents pursuant to the *Act*.

At the outset of the hearing I sought clarification from the applicant as to why the party named in their Application was not the name of the landlord as identified in the tenancy agreement. The tenant testified that she was not sure if the name on the tenancy agreement was the landlord's legal name and that he was the son of the owner of the property.

However, I find the applicants have named a respondent who was not a party to the tenancy agreement and as such I have declined to hear the Application for Dispute Resolution. I note the applicants remain at liberty to file an Application for Dispute Resolution against the actual landlord named in their tenancy agreement subject to any applicable deadlines under the *Act*.

Issue(s) to be Decided

The issues to be decided are whether the applicants are entitled to a monetary order for return of double the amount of the security deposit and to recover the filing fee from the respondent for the cost of the Application for Dispute Resolution, pursuant to Sections 38, 67, and 72 of the *Act*.

Conclusion

Based on the above I dismiss this Application for Dispute Resolution in its entirety.

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: October 31, 2014

Residential Tenancy Branch

