



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNSD FF

Introduction

This hearing dealt with an application by the tenant pursuant to the Residential Tenancy Act (the Act) for orders as follows:

- a) An Order to return double the security deposit pursuant to Section 38; and
- b) To recover the filing fee for this application.

SERVICE

The named landlord did not attend. The tenant provided evidence that he had served the landlord with the Application for Dispute Resolution by registered mail; it was verified online as successfully delivered to the office. I find the applicant's documents were served pursuant to sections 88 and 89 of the Act for the purposes of this hearing.

Preliminary Issue: The landlord submits that the tenant has named the wrong landlord in this dispute. They contend that the correct landlord is a First Nations group and the Residential Tenancy Branch has no jurisdiction in this matter. They request this Application be dismissed. No one attended for the named landlord but evidence was provided of a letter from the female named as landlord stating she is not the landlord. Also provided as evidence is a lease signed by the tenant showing the landlord as a First Nations group. The tenant said he did not get these documents.

Conclusion:

I dismiss this Application of the tenant as he did not name the correct landlord in his Application. I give him leave to reapply. I make no findings as to jurisdiction as that is a matter that will be decided in another hearing if the tenant chooses to pursue the matter.

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: May 07, 2015

Residential Tenancy Branch

