



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Vancouver Eviction Services
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC FF

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution. The participatory hearing was held, by teleconference, on November 9, 2017. The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order of possession based on a One Month Notice to End Tenancy for Cause; and,
- to recover the filing fee from the tenant for the cost of this application.

The Landlord's Agent (the "Landlord") attended the hearing and provided affirmed testimony. The Tenant did not attend the hearing.

The Landlord applied for this review on September 8, 2017, and was issued a Notice of Hearing by this office on September 14, 2017. The Landlord testified that when she got the Notice of Hearing from this office, she realized that she put a completely different Tenant's name on her application. She applied against a person named, S.S., who is listed on the front page of this decision. However, she stated that she meant to apply against an individual named A.V. She also realized that the Notice of Hearing she got from this office listed S.S., rather than A.V. Although the Landlord stated that she tried to amend her application, this amendment has not been sufficiently completed, prior to the hearing.

I find a proper Notice of Hearing, correctly identifying the parties is a fundamental part of this process and without it, I cannot proceed. Although the Landlord stated she changed the Notice of Hearing, by hand, after getting it from our office, and before sending it to the actual tenant, A.V., I do not find this is sufficient. In any event, the Tenant named by

the Landlord in her initial application is not the actual tenant, and the actual tenant, A.V., has not been sufficiently served with an application package and Notice of Hearing addressed to him.

Considering all of this, I dismiss the Landlord's application. The Landlord is at liberty to reapply. All parties must be properly named and served in accordance with the *Act* and the 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: November 10, 2017

Residential Tenancy Branch