



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes

MNDC FF

### Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution. A hearing by telephone conference was held on August 6, 2019. The Tenants applied for monetary compensation in order to have their security deposit returned to them, pursuant to section 38 and 67 of the *Residential Tenancy Act* (the *Act*).

### Preliminary Matters

The Tenants attended the hearing. However, the Landlord did not. The Tenants stated that they sent the Notice of Hearing and their evidence to the address of the rental unit where they believe J.M. is living (who they signed the tenancy agreement with). The Tenants provided a copy of the tenancy agreement into evidence, and it lists J.M. as the Landlord. There is insufficient documentary evidence demonstrating who D.D. is (the person the Tenants named as the respondent/Landlord for this application). The Tenancy Agreement lists J.M. as the Landlord, but this individual is not named as the respondent for this application.

I find there is insufficient evidence to show that the Tenants have named the correct party as the respondent/Landlord. It appears as though the agreement was made with J.M. who was identified as the Landlord on that agreement but was not named on this application. As such, I **dismiss the Tenants' application, with leave to reapply**. The Tenants need to be able to demonstrate they have named the correct party as the Landlord, and that this party has been sufficiently served with the Notice of Hearing.

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: August 06, 2019

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Residential Tenancy Branch