



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNETC

### Introduction

This hearing dealt with an Application for Dispute Resolution filed by the tenant under the Residential Tenancy Act, (the “Act”) for compensation that is related to a notice to end tenancy.

This matter commenced on July 4, 2022 and was adjourned due to evidence issues. The interim decision should be read in conjunction with this Decision.

On November 4, 2022, both parties appeared.

At the outset of the hearing the Respondent indicated that the tenant has not named the correct Respondent. The Respondent stated that the property was purchased by a registered Ltd company, not by them personally.

The tenant stated that they may have made an error naming the wrong party.

I canvassed whether the Application should simply be amending as the Respondent clearly has signing authority for the company as they signed on behalf of the company the purchase agreement.

The Respondent stated that they do not consent to the tenant’s application being amended to include the proper purchasers name as there are other shareholders involved and must be dealt with by the corporate lawyer. The Respondent stated that the tenant should file a claim in the correct name of the purchaser and the company lawyer can deal with the matter.

In this case, I accept the Respondent’s name was in brackets in the notice to end tenancy behind the Ltd company name; however, the notice to end tenancy shows that

the purchaser of the property was a registered Ltd company, and the buyers notice to the seller for vacant possession also indicated the they buyer was the Ltd company. The Respondent name is the application was simply signing the purchase agreement on behalf of the Ltd company.

I find the tenant has not named the correct Respondent. Therefore, I dismiss the tenant's application with 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: November 04, 2022

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Residential Tenancy Branch