



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ATIRA  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDCT, MNSD

This hearing dealt with an application for dispute resolution under the *Residential Tenancy Act* (the Act).

On April 22, 2022, the tenant filed for:

- compensation for monetary loss or other money owed; and
- recovery of part or all of the security deposit and/or pet damage deposit.

The hearing was attended by the tenant but not the landlord. The tenant was affirmed and made aware of Residential Tenancy Branch [Rule of Procedure](#) 6.11 prohibiting recording dispute resolution hearings.

I advised the tenant that, having reviewed his application, it appeared he had not used the full legal name for the landlord when naming the respondent. I explained that if I hear on the matter, find in favour of the tenant, and issue a monetary order, it may not be enforceable.

[Policy Guideline](#) 43. *Naming Parties* states:

It is up to the applicant to ensure that a party is properly named so that any order granted is enforceable. ... Where a business is not properly named, for example, “Garden Apartments” instead of “Garden Apartments Ltd.,” the director may dismiss the Application for Dispute Resolution with leave to reapply unless the other party is present. In that circumstance, the director may amend the Application for Dispute Resolution.

To provide the tenant with an opportunity to properly name the respondent, using the full legal name of the landlord, I dismiss the tenant’s application with leave to reapply. I further note there is no proof in evidence that the tenant notified the landlord of this dispute. The tenant is advised he must be prepared to demonstrate, to the satisfaction

of the arbitrator, that the respondent was served with the Notice of Dispute Resolution Proceeding package and all evidence the tenant wishes to rely on in support of his claims.

### Conclusion

The tenant's application is dismissed.

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: December 5, 2022

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Residential Tenancy Branch