Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   MND, MNR, MNSD, FF

Introduction

This was the hearing of The landlord's application for a monetary order. The hearing was conducted by conference call. The landlord called in and participated in the hearing and the person named called in on behalf of the society. The tenant did not attend and the evidence established that the tenant was not served with the application and Notice of Hearing.

Issue(s) to be Decided

Is the landlord entitled to a monetary order against either party?

Background and Evidence

The Society is named in the landlord's application as a tenant. At no time was the society a tenant of the landlord. The landlord has alleged that the society should be liable to the landlord for his loss of revenue and damages because he claimed that the society was responsible for the tenants, interced4ed on their behalf and convinced the landlord to allow them to stay in his rental property. The landlord has taken the position that the Society should be financially responsible for the tenants, including one of the tenants not named in the application.

Analysis and conclusion

The society named in the landlord's application is not a tenant. The landlord's claim against the society is not one that falls under the *Residential Tenancy Act*. And I find that I have no jurisdiction to entertain the landlord's claim for a monetary order against the Society. The claim against the society is dismissed for want of jurisdiction. At the hearing the landlord confirmed that the tenant has not been served with the application

and Notice of Hearing. He was given an address for service upon the tenant. The landlord's claim against the tenant, Mr. J.L. is dismissed 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: May 07, 2012.

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Residential Tenancy Branch