



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC MNSD O

Introduction

This hearing dealt with an Application for Dispute Resolution filed on October 24, 2013, by the Tenant to obtain a Monetary Order for: money owed or compensation for damage or loss under the Act, regulation, or tenancy agreement; the return of their security deposit; for other reasons; and to recover the cost of the filing fee from the Landlord for this application.

Issue(s) to be Decided

Does this application meet the requirements of the *Residential Tenancy Act* to be heard?

Background and Evidence

At the outset of this proceeding G. L. testified that on January 10, 2014 he found a Notice of Dispute Resolution Hearing with some information sheets in his mail box. These documents listed someone else's name as landlord and an address different from his rental property. He noted that while the applicant to this dispute was his former Tenant, the information listed on this claim showed a different street address and a different municipality than the location of the rental unit he rented to this tenant.

G.L. stated that he did not receive information pertaining to the details of the applicant's claim so he attended the *Residential Tenancy Branch* to try and obtain that information. He was told that they could not release information about this claim to him because he was not a named party to this dispute. Although he submitted documentary evidence, he could not properly defend any claim without knowing what was being brought against him and he could not file a counter claim so he attended today to request that this claim be dismissed.

The applicant Tenant stated that he only knew his landlord by the name he has listed on his application and that he was never given anything in writing listing his landlord's name. When asked what the address was at the rental property the Tenant responded saying a different three digit street number than what was listed on the application. He stated what he thought the municipality was and argued that the person attending the

hearing today was in fact his former Landlord and was the person whom he wished to bring a claim against. When I asked the Tenant who the third person was who was listed on his application he argued that there was not a third name listed on his claim and then stated a completely different name.

I explained to the Tenant that I would not be proceeding with his application as is did not provide accurate details of the rental unit or his former landlord. He then provided me an address to send him a copy of my written decision.

Analysis

Section 59(2) of the *Residential Tenancy Act* stipulates that an application for dispute resolution must be in the applicable approved form, include full particulars of the dispute that is to be the subject of the dispute resolution proceedings, and be accompanied by the fee prescribed in the regulations.

Section 59 (5) of the *Act* provides that the director may refuse to accept an application for dispute resolution if in the director's opinion, the application does not disclose a dispute that may be determined under this Part, or the application does not comply with subsection (2), as listed above.

After careful consideration of the forgoing, I declined to hear matters pertaining to this dispute as the applicant did not list accurate information on his application for dispute resolution relating to the respondent's name or address, and he did not provide the correct address of the rental unit that was in dispute. Furthermore, there is evidence that the application may not have been served in accordance with the *Act*. Accordingly, this application is dismissed.

Conclusion

I HEREBY DISMISS the Tenant's application. The Tenant is at liberty to file a new application listing the Landlord's correct name and address and the correct address for the rental unit that is in dispute.

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: February 14, 2014

Residential Tenancy Branch

