



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- a monetary order for the return of double the security deposit pursuant to section 38 and 67 of the Act.

Both parties attended the hearing via conference call and provided affirmed testimony. Both parties confirmed receipt of the notice of hearing package via Canada Post Registered Mail.

At the outset, the named landlord, M.O. stated that he was not the actual landlord, but that a numbered company was the actual landlord and that he was just an agent. The tenant disputed this claim stating that the named landlord was properly filed against the named landlord. A review of the notice of hearing package and the submitted documentation revealed a partial submission of a signed tenancy agreement (the first and last pages) submitted by the tenant on November 13, 2018. In that submission, the named landlord is a numbered company. Both parties deny submission of this evidence. A review of the submission shows that it was submitted using the tenant's evidence codes on November 13, 2018 via the Service BC Office which was sent to the RTB via facsimile. The tenant was unable to provide any supporting evidence that the named landlord was properly named.

I find based on a balance of probabilities and upon review of the testimony and the submitted documentary evidence that the tenant has failed to provide sufficient evidence that the landlord was properly named and dismiss the application with leave to reapply. Leave to reapply is not an extension of any limitation period.

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 21, 2018

Residential Tenancy Branch