



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDCT, FFT

Introduction

This hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act ("Act"). The tenant applied for an order for the return of her security deposit, a monetary order for money owed or compensation for damage or loss under the Act, the tenancy agreement or the regulation, and for recovery of the filing fee paid for this application.

The tenant attended the hearing; however, the respondents did not attend.

In her application, the tenant listed as landlords the given names of two individuals; however, the tenant failed to list the surname or family name of either landlord.

In explanation, the tenant submitted that her landlords never provided her with a written tenancy agreement showing their names nor did they ever tell her what their names were. The tenant submitted that she only ever knew the landlords' first names and was required to pay rent in cash.

Preliminary and Procedural Matters

At the outset of the hearing, the tenant was advised that her application was being refused, pursuant to section 59(5)(c) of the Act because the tenant's application did not provide full particulars of the dispute that is the subject of the dispute resolution proceeding.

Specifically, the tenant failed to provide the full, legal name of the respondents.

The dispute resolution proceeding is a formal, legal hearing and parties must be clearly identified, which in this case, requires a full, legal name for every party.

Without a full legal name, I cannot confirm that the respondents have been properly identified and served with the dispute resolution application and notice of hearing. Any corresponding Decision and order would not be legally enforceable.

Given the above, the tenant is granted liberty to reapply but is reminded to provide full particulars of her dispute, which includes the full, legal names of the landlords.

Conclusion

The tenant's application has been refused pursuant to sections 59(5)(c) and 59(2)(b) of the Act.

The tenant is at liberty to reapply for her monetary claim.

This decision does not extend any applicable timelines under the *Act*.

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: August 30, 2019

Residential Tenancy Branch