



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      MNDCT, MNETC, FFT

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants filed under the *Residential Tenancy Act* (the “Act”) for monetary compensation relating to section 51 of the Act, for other money owed and to recover the cost of the filing fee.

The tenants’ have named multiple tenants in their application; however only KW and NW are listed as tenants in the tenancy agreement. Therefore, I have removed the other named tenants as I find they are occupants and have no legal rights or obligations under the Act.

The tenants’ appeared. No one attended for the named respondent. TA and RR appeared as they were named a business contact of the named respondent, which they are not as they were the purchasers.

In this case, I find the tenant’s have not named the correct parties in their application as it lists the selling agent who is not the named purchaser in the notice to end tenancy.

While the tenants indicated they filed an amendment; however, I can find no amendment on file. Further, an amendment may not be used to add another Respondent, it is to add a related claim or alter a claim in the original application.

The only hearing packages that have been produced by the Residential Tenancy Branch are in the name of named respondent. I find the wrong party was named. Therefore, I dismiss the tenants’ application with leave to reapply.

Should the tenants wish to proceed with a future application they must serve the purchaser at the rental unit as that is were they indicated they are living.

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: April 17, 2023

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Residential Tenancy Branch