



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes

OPR, MNR, FF

Introduction

This matter was conducted by way of Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (the "Act"), and dealt with an Application for Dispute Resolution by the landlord for an Order of Possession and a monetary order.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on February 16, 2010, the landlord served an individual (J.L) who is not named on the tenancy agreement. As the individual served with Notice of the Proceeding is not a signatory to the tenancy agreement I find that this Application is dismissed without leave to reapply.

I note the landlord has issued a 10 Day Notice to End tenancy naming the individual served and another male, who appears on the tenancy agreement but who is not named as a respondent on the Application.

Conclusion

As the only individual served with Notice of this Proceeding is not a signatory to the tenancy agreement I find that this Application is dismissed without leave to reapply.

The landlord is at liberty to submit another Application and must name and serve the tenant(s), as required by 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: February 24, 2010.

Dispute Resolution Officer