



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## DECISION

Dispute Codes      OPR, MNR, MNSD, FF

### Introduction

This matter was conducted by way of Direct Request Proceeding, pursuant to section 55(4) of the Act, and dealt with an Application for Dispute Resolution by the Landlord for an Order of Possession and a Monetary Order for unpaid rent.

The Landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on January 20, 2010, he served the Tenant in person with the Notice of Direct Request Proceeding. I find that the Respondent was served with the Landlord's documents as required by s. 89 of the Act. However, the copy of the tenancy agreement provided by the Landlord indicates that there is another tenant who has not been named as a party to these proceedings. RTB Rule of Procedure #13.6 states (in part) that if a Dispute Resolution Officer determines that a tenant may be materially affected by the dispute resolution hearing, the Dispute Resolution Officer may adjourn a proceeding to allow the materially affected tenant an opportunity to participate in the proceeding and will order the Applicant to serve the affected tenant with a copy of the application, notice of hearing and any evidence.

I find that the other tenant who has not been named in these proceedings may be materially affected by the matters in issue in this dispute resolution hearing and as a result, I order that the Landlord's application be reconvened to a teleconference hearing. **I further order the Landlord to serve the other tenant named on the tenancy agreement with a copy of the Application, Notice of Reconvened Hearing and any evidence relied on in support of the application.**

### Conclusion

I order that the direct request proceeding be reconvened in accordance with section 74 of the Act. Notices of Reconvened Hearing are enclosed with this decision for the Applicant to serve upon both Tenants within **three (3) days** of receiving this decision in accordance with section 88 of 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 03, 2010.

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Dispute Resolution Officer