

DECISION

Dispute Codes OPR, MNR, MNDC, MNSD

Introduction

This matter dealt with an application by the Landlord for an Order of Possession and a monetary order for unpaid rent as well as to keep the Tenants' security deposit in partial payment of that amount.

At the beginning of the hearing, the Parties confirmed that one of the Tenants named on the application (R.H.) passed away in 2000 and that the tenancy agreement was assigned with the Landlord's knowledge and consent from the surviving Tenant (L.H.) to the Tenants' agent (who is her son and who also resides in the rental unit) approximately one month ago. In the circumstances, I find that the Landlord has not named the correct Tenant on his application and as a result, it is dismissed with leave to reapply.

Conclusion

The Landlord's application is dismissed with leave to reapply. 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 12, 2010.

Dispute Resolution Officer