



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, MNDC

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution for a monetary order.

The hearing was conducted via teleconference and was attended by both the applicant and the respondent.

Issues(s) to be Decided

The issues to be decided are whether the landlord is entitled; to a monetary order for unpaid rent and for the cost of carpet cleaning, pursuant to sections 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

At the outset of the hearing the respondent indicated that she had not been a tenant with this landlord. She noted that her husband had been a tenant with this landlord and that she was her husband's Power of Attorney (POA).

The landlord noted that the respondent had been named as the tenant's "sponsor" and had signed the tenancy agreement on behalf of the tenant.

The respondent noted that she felt this matter had been dealt with in a previous hearing held on February 24, 2010 for which the tenant was granted return of double the security deposit.

Analysis

As the named respondent never had a tenancy with the landlord, I find the landlord has no claim over this respondent. Despite this finding the landlord remains at liberty to file an Application for Dispute Resolution naming the tenant as the respondent.

Conclusion

For the reason set out above, I dismiss the landlord's application, in its entirety.

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: September 01, 2010.

Dispute Resolution Officer