



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, ET

### Introduction

This matter dealt with an application by the Landlord for an Order of Possession, an early end to the tenancy and a Monetary Order for unpaid rent.

At the start of the conference call the Landlord said there was no written tenancy agreement with the Respondent. The Landlord continued to say that the Respondent and the Respondent's mother moved in to the rental unit sometime 4 or 5 years ago. The Landlord was not sure when the tenancy started. When questioned if the tenancy was with the Respondents mother or with the Respondent or with both the Respondent and the Respondents mother the landlord said it was with both of the occupants. The Landlord was unable to provide any proof of who the tenancy was with. The Landlord said the Respondents mother passed away on December 10, 2010 and the Respondent was living in the rental unit alone. The Landlord continued to say he had 6 other rental units and he did not have written tenancy agreement for all of them. The Landlord was informed that under section 13 of the Act a landlord must prepare a written tenancy agreement for all tenancies entered into on or after January 1, 2004. As the Landlord was unable to provide evidence that a tenancy exists with the Respondent and the Respondent did not participate in the conference call; I dismiss the application 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*.

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Dispute Resolution Officer