



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, FF

### Introduction

This hearing was convened by way of conference call in reponse to the landlord's application for an Order of Possession for unpaid rent and utilities; for a Monetary Order for unpaid rent or utilities; and to recover the filing fee from the tenant for the cost of this application.

### Preliminary Issues

One of the named respondents on the application attended the conference call and explained that nether of the named respondents are executors of the late tenant's estate and have not been appointed as administrators of the late tenant's estate. The person attending states that they are related to the late tenant but have been advised not to have an involvement with the late tenant's estate. This party also advised that their address was put on the Notice of hearing letter and they want to make it known that this is not the dispute address and they have no involvement with this tenancy.

### Analysis

I find that the landlord has named the respondents in error as the respondents have no obligation or responsibility for the estate of the late tenant. Consequently no hearing took place as the estate of the late tenant has not yet been determined and no one has been correctly served with notice of this hearing.

I am unable to advise the landlord on the next course of action they may take; however the landlord is advised to contact the Residential Tenancy Branch and speak to an Information officer if the applicant requires information or clarification concerning abandonment of personal property under Part 6 of the Manufactured Home Park Tenancy Regulations.

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: March 05, 2012.

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Residential Tenancy Branch