



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR

Introduction

The Applicant has applied for an Order of Possession for unpaid rent and a Monetary Order for unpaid rent through the Direct Request process.

Issues(s) to be Decided

1. Is the Applicant the Landlord or Agent of the Landlord?

Background and Evidence

In support of their claim the Applicant has submitted a copy of the application and a copy of a 10 Day Notice to End Tenancy both of which were issued listing a different Landlord's name than that listed on the tenancy agreement provided in support of this application.

There is no evidence before me to support that the Landlord has changed names or the Applicant acquired the rights to the tenancy agreement from the previous Landlords. Furthermore, there is no evidence that the applicant named in this proceeding has any authorization to act as the agent to the legal landlords named in the tenancy agreement or that this authorization to act as the Landlord has been provided in writing to the Tenant.

Analysis

When making a claim through the Direct Request process evidence must be submitted to prove that a tenancy agreement exists between the applicant and the respondent. In this case the Applicant is different than the named landlord on the tenancy agreement. Based on the aforementioned I find that this application does not meet the requirements for the Direct Request process. Accordingly, the application is dismissed.

Conclusion

I HEREBY DISMISS this application.

No findings of fact or law have been made regarding the 10 Day Notice to End Tenancy issued December 3, 2012.

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: December 19, 2012.

Residential Tenancy Branch