



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

OPR, MNR

Introduction

This matter was conducted by way of Direct Request Proceeding, pursuant to Section 55(4) of the *Residential Tenancy Act* (the "Act"), and dealt with an Application for Dispute Resolution by the Landlord for an Order of Possession and a Monetary Order.

Preliminary Matter

The Landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding for each of the Tenants. The Proof of Service documents indicate that the Landlord sent the Notice of Direct Request Proceeding to each Respondent by registered mail to the rental unit on August 7, 2013. I find that the Respondents have been served with Notice of the Direct Request Proceeding, further to the provisions of Section 89(c) of the Act.

The Landlord also submitted a copy of the tenancy agreement in evidence. The tenancy agreement names both Respondents on the first page; however, only one of the Respondents signed the agreement. Therefore, I am satisfied that one of the Respondents is a tenant. Although there is a line on the tenancy agreement intended for the tenant to print his name, no name is provided. It is not possible to discern which of the Respondents signed the tenancy agreement. I cannot make findings with respect to which of the Respondents signed the tenancy agreement and therefore I adjourn this matter to a participatory Hearing so that questions can be asked and answered with respect to which one of the Respondents signed the agreement.

Therefore, I adjourn this matter to a participatory Hearing. Three copies of a Notice of Reconvened Hearing accompany this Interim Decision. The Landlord must serve each Respondent with a copy of the Notice of Reconvened Hearing in accordance with the provisions of Section 89 (2) of the Act within 3 days of receipt of this Interim Decision.

Conclusion

This matter is adjourned to a participatory Hearing, to the date and time noted on the enclosed Notice of Reconvened Hearing. **The Landlord must serve each**

Respondent with the Notice of Reconvened Hearing in accordance with the provisions of Section 89 (2) of the Act within 3 days of receipt of this Interim Decision.

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: August 12, 2013

Residential Tenancy Branch