



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Rockwell Properties
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR

Introduction

This non-participatory 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 for the rental unit due to unpaid rent and for a monetary order for unpaid rent.

Evidence and Analysis

Included in the documentary evidence submitted by the applicant/landlord, was a tenancy agreement signed on June 11, 2013, by the tenant and another landlord not listed in this application, with a notation on the application for dispute resolution that a new management company "took building over in Feb 2013;" however the tenancy agreement also shows that this tenancy began June 15, 2013, well before a new management company took over.

There was no explanation provided as to why the landlord's names are differing on the tenancy agreement signed by the parties on June 11, 2013, and on the application for dispute resolution, if a new management company took over management of this property in February 2013.

I am not able to reconcile on a direct request proceeding the inconsistencies in the documents as to who is the correct landlord.

Conclusion

I therefore find the landlord's dispute resolution application to be deficient as required by the Act and I therefore **I dismiss** the landlord's application **with leave to reapply**.

The landlord should not apply for a direct request proceeding unless all documents are prepared in accordance with the Act and Regulations and are sufficiently clear.

Therefore, the landlord may wish to submit a new application through the normal dispute resolution process which includes a participatory hearing.

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* and is being mailed to both the applicant and the respondent.

Dated: October 07, 2013

Residential Tenancy Branch

