



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 296296 BC LTD  
and [tenant name suppressed to protect privacy]

## **DECISION**

### Dispute Codes

OPR, MNR

### Introduction

The landlord applied for an Order of Possession and Monetary Order for unpaid rent under the Direct Request Proceeding, pursuant to section 55(4) of the Residential Tenancy Act (the "Act").

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on October 8, 2013 he served the respondent with the Notice of Direct Request Proceeding via personal delivery at the rental unit

I note that the written tenancy agreement provided with the landlord's Application does not name the respondent as a tenant for this rental unit. Nor was any documentation provided to show the tenancy agreement was assigned to the respondent in a manner that complies with the Act.

In order to succeed under the Direct Request procedure the landlord must submit certain documents including a written tenancy agreement that establishes the respondent is a tenant and has an obligation to pay rent to the landlord for the rental unit.

Based upon the evidence provided to me, I find the landlord has not established that the respondent is a tenant. Therefore, I find I cannot proceed to consider the landlord's request.

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: October 11, 2013

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Residential Tenancy Branch

