



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR OPB MNR MNDC

This hearing was convened pursuant to the landlord's application for an order of possession and a monetary order. The applicant landlord called into the teleconference hearing, but the respondents did not.

### Preliminary Issue – Jurisdiction

The landlord stated that on September 1, 2013, FB, CW and SB began to occupy the rental unit under a verbal tenancy agreement. On January 2, 2014, two other tenants, KP and CT, signed a written tenancy agreement and moved into the rental unit with FB, CW and SB. On January 9 or 10, 2014, KP and CT moved out of the rental unit, and the original three occupants, FB, CW and CT, remained in the unit. The landlord named FB, CW and CT as the three respondents in his application.

I find that the three respondents named in the landlord's application are not tenants. When the landlord entered into a written tenancy agreement with KP and CT on January 2, 2014, the tenancy of FB, CW and SB ended, and they became merely occupants of the unit. The status of FB, CW and SB as occupants did not change when KP and CT moved out of the rental unit.

### Conclusion

As I have found that the respondents are not tenants but rather are merely occupants, I decline jurisdiction to hear this matter.

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: May 8, 2014

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Residential Tenancy Branch

