



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding RAAMCO INTERNATIONAL PROPERTIES CANADA  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      OPR, MNR

### Introduction

This matter was conducted by way of a Direct Request Proceeding, pursuant to Section 55(4) of the *Residential Tenancy Act* (the “Act”) in response to an Application for Dispute Resolution (the “Application”) made by the Landlord for an Order of Possession and a Monetary Order for unpaid rent.

### Analysis

The Direct Request process is a mechanism that allows a Landlord to apply for an expedited decision without a participatory hearing. As a result, the Landlord must follow and submit documentation **exactly** as the Act prescribes and there can be no omissions or deficiencies within the written submissions that are left open to interpretation or inference.

While the Landlord has submitted all of the required documents required for the Direct Request process, there exists a deficiency with the Landlord’s Application that does not allow me to proceed with the Direct Request Proceeding.

The Landlord’s Application details the Landlord’s name as RIPC (the full name of which appears on the first page of this decision but is initialed for the purposes of this decision). However, the written tenancy agreement submitted with the Application provides for a tenancy with a different Landlord, being CIL (the full name of which also appears on the first page of this decision but is initialed for the purposes of this decision).

Furthermore, the Landlord provided a Tenant ledger for rent payments made during the tenancy in written evidence. However, this document indicates the involvement of a management company without any explanation of what involvement this company has in this tenancy and who the Tenant is required to make rent payments to.

### Conclusion

As there is insufficient evidence to establish that a tenancy exists between the Landlord named in this Application and the Tenant, and there is not sufficient evidence to show that the Landlord named in this Application is authorized to act on behalf of the Landlord named on the written tenancy agreement, or that there was change in the Landlord during the tenancy which has been communicated to the Tenant, **I dismiss** the Landlord's Application **with leave to reapply**.

However, the Landlord should not apply for a Direct Request Proceeding unless all the documents provided are correct and complete and the Application contains sufficient evidence to explain any discrepancies; or is made by the Landlord named on the tenancy agreement. Alternatively, these may be better addressed 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*.

Dated: July 27, 2014

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Residential Tenancy Branch

