



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR MNR

### Introduction

This matter proceeded 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 applicant C.C., for an order of possession for unpaid rent and a monetary order for unpaid rent.

In addition to other documentary evidence, the applicant C.C.’s first and last name does not match either of the two landlord names on the tenancy agreement, M.G., and T.W. There is also no supporting documentation, such as a contract for purchase of the residential property to support if C.C. became a landlord through the purchase of the residential property, is acting as agent for the named landlords on the tenancy agreement, or had any rights under the *Act* to issue the 10 Day Notice and to file the application before me.

### Preliminary Issue, Analysis and Conclusion

The Direct Request process is a mechanism that allows the landlord to apply for an expedited decision, with that the landlord must follow and submit documentation exactly as the *Act* prescribes; there can be no omissions or deficiencies with items being left open to interpretation or inference.

In this case, and in addition to other documentary evidence, the applicant C.C.’s first and last name does not match either of the two landlord names on the tenancy agreement, M.G. and T.W. There is also no supporting documentation, such as a contract for purchase of the residential property to support if C.C. became a landlord through the purchase of the residential property, is acting as agent for the named landlords on the tenancy agreement, or had any rights under the *Act* to issue the 10 Day Notice and to file the application before me. Under these circumstances, **I dismiss** the applicant’s application **with leave to reapply** as I find there is insufficient evidence

to support that the applicant is a landlord or an agent of the landlord. If the applicant is a landlord, the applicant failed to submit supporting evidence of such. A landlord should not apply for a direct request proceeding unless all documents are completed in full and there are no documents which can be open to interpretation or inference. Therefore, if the applicant is a landlord, they may wish to submit a new application through the normal dispute resolution process which includes a **participatory hearing** or ensure that sufficient documentary evidence is submitted to support that the applicant is a landlord or an agent for the landlord in relation to the residential dispute address.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: September 19, 2014

---

Residential Tenancy Branch

