



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR

Introduction

The Applicant has applied for an Order of Possession for unpaid rent and a Monetary Order for unpaid rent through the Direct Request Process.

Issues(s) to be Decided

1. Is the Applicant the Landlord or Agent of the Landlord?

Background and Evidence

In support of their claim the Applicant has submitted a copy of the application for Direct Request which lists the landlord's name as C.F. The tenancy agreement submitted into evidence in support of this application lists C.M. as manager and the owner is listed as M.C. The 10 Day Notice submitted into evidence lists the Landlord as C.F. for the owner M.C.

Analysis

The Direct Request procedure is based upon written submissions only and requires that the submissions be sufficiently clear, valid and supported by evidence in order to succeed.

There is no evidence before me to support C.F., who is listed as landlord on the application for Direct Request is an agent for the owner, or that the Applicant acquired the rights to manage the tenancy agreement from the manager or the owner.

Furthermore, there is no evidence that the applicant named in this proceeding has any authorization to act as the agent to the owner named in the tenancy agreement or that this authorization to act as the Landlord has been provided in writing to the Tenant.

When making a claim through the Direct Request process evidence must be submitted to prove that a tenancy agreement exists between the applicant and the respondents. In this case the Applicant is different than the owner or his manager as named on the tenancy agreement.

Based on the aforementioned I find that this application does not meet the requirements for the Direct Request process, and the claim is dismissed, with leave to reapply.

Conclusion

I HEREBY DISMISS the application for Direct Request, with leave to reapply.

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: September 29, 2014

Residential Tenancy Branch

