



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      mnd, mndc, opl, ff

### Introduction

The applicant has applied for dispute resolution of a dispute in the tenancy at the above noted address, and requests an Order of Possession and a Monetary Order; and an order to recover the landlord's filing fee.

Both parties attended the hearing, and I accept that the tenant was properly served with the Application for Dispute resolution.

### Issues to Be Decided

- Is the applicant a proper party to this dispute?

### Background and Evidence

The applicant alleges she is the registered owner of the premises, and therefore the proper landlord. The written tenancy agreement was signed by her husband however, and the tenant has always paid rent (and continues to pay rent) to her husband.

### Analysis

The applicant did not provide any supporting evidence, such as a Land Title Office title search, or a copy of the 2017 Tax Assessment, to demonstrate she is in fact the owner of the subject premises. Under these circumstances, she has not demonstrated that she is a lawful landlord and her application is dismissed, with liberty to reapply.

### Conclusion

The claim is dismissed.

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: March 20, 2017

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Residential Tenancy Branch