



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* (“Act”), and dealt with an Application for Dispute Resolution by an applicant YL (“applicant”) for an order of possession for unpaid rent and a monetary order for unpaid rent and/or utilities.

In addition to other documentary evidence, the applicant provided a copy of a tenancy agreement and 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (“10 Day Notice”) that does not match the name of the landlord LCL. There is no documentation provided to explain who applicant YL is relation to the landlord LCL and whether they have authority to act on the behalf of landlord LCL.

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 the matter before me, the applicant provided a copy of a tenancy agreement and the 10 Day Notice which does not match the name of the applicant. The application was made by applicant YL and yet the tenancy agreement and 10 Day Notice have the landlord name LCL.

Under these circumstances, I **dismiss** the applicant’s application **with leave to reapply**. The applicant should not apply for a direct request proceeding unless there is a document included that clearly explains that the applicant YL has the authority under the *Act* to apply for dispute resolution or is acting on behalf of and with authorization from the landlord LCL. Therefore, the landlord and/or applicant may wish to submit a

new application through the normal dispute resolution process which includes a **participatory hearing** as this application is not suitable for the direct request process as submitted.

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: March 8, 2018

Residential Tenancy Branch