



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes LRE, PSF, OLC, MNDC, FF

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- an order to the landlord to provide services or facilities required by law pursuant to section 65;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- an order to suspend or set conditions on the landlord's right to enter the rental unit pursuant to section 70;
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

Both parties attended the hearing via conference call and provided affirmed testimony. At the outset, both parties disputed who the legal tenant/landlord were. The tenants assert that the agent, P.B. was an agent of the landlord, a named management company (as listed on the cover page). The landlord's agent, P.B. (the landlord) confirmed that he is an agent of the named property management company who are agents of the owner. The landlord asserts that the named tenants are not the legal tenants of the tenancy. The landlord has provided a copy of a signed tenancy agreement with R.S. the legal tenant. The landlord claims that the tenant has illegally sublet the rental space without the written permission of the landlord to the named tenants. The tenants argue that rent has been paid directly to the landlord's agent for which a receipt was issued. Both parties confirmed that a receipt was issued for a partial rent payment to "the tenant of..." (the listed dispute address). The tenant D.Q. stated that she is on disability and that her disability form was signed by R.S. (the legal tenant) as her landlord. I find based upon the claims provided by both parties and the submitted documentary evidence that the tenants have improperly filed an application

against the wrong landlord. I find that the tenants should properly name R.S. as their legal landlord. As such, the tenants' application 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: July 04, 2018

Residential Tenancy Branch