



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPT

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants for an order of possession.

The tenants appeared. At the outset of the hearing MP attended the hearing. MP stated that tenants served them with their application; however, they are not party named in the application.

In this case, I am not satisfied that the named respondent was served, in accordance with the Act. Therefore, I dismiss this tenants' application with leave to reapply.

It should be noted GF disconnected from the hearing prior to me ending the hearing. The tenant DD stated that they were an occupant, living with GF. Occupants have no legal rights under the Act. DD stated that the rental unit is also currently under renovations which has opened up the space and combined two separate spaces into one and the rental unit as it, was no longer exists and is occupied. DD was informed if the rental unit is no longer available as it has now been combined with another space, which is occupied they would not be able to seek an order of possession. However, if GF can prove that they were a tenant, they may be entitled to reasonable cost, if they were in fact unlawfully evicted. I make not findings on whether a tenancy existed.

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 30, 2020

Residential Tenancy Branch