



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding VANCOUVER LUXURY RENTAL
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPT, FF

This hearing was convened as a result of the Tenant's Application for Dispute Resolution made on November 9, 2022. The Tenant applied for an order of possession pursuant to section 54 of the Residential Tenancy Act (the Act) and to recover the filing fee pursuant to section 72 of the Act.

The hearing was scheduled to commence by telephone conference hearing at 1:30 p.m. (Pacific Time) on November 28, 2022. Although the Tenant did not attend the hearing, the Landlords were represented by BW, SR, and KK, agents, all of whom provided a solemn affirmation at the beginning of the hearing.

BW testified to his belief that the Tenant named in the application is the friend of a woman who has claimed a right to occupy the rental unit on the basis that she is the spouse of a deceased tenant, VW. The Landlords submitted into evidence a tenancy agreement which names VW as the only tenant. BW testified the Landlords understand the woman may be the deceased tenant's girlfriend, but do not believe she ever occupied the rental unit or is otherwise a tenant. However, I make no findings with respect to the Tenant's standing to make the application or the relationships between the individuals referred to above.

As noted above, the Tenant did not attend the 12-minute hearing and the Landlords were represented by the agents referred to above. As a result, I find that the Tenant's application is dismissed without leave to reapply.

The Landlords' agents had questions about the legal implications and obligations on a landlord when a tenant dies. They are encouraged to contact an Information Officer at the Residential Tenancy Branch (1-800-665-8779) for more information. Given the complex nature of the issues raised, the Landlords may also wish to seek legal advice.

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: November 28, 2022

Residential Tenancy Branch