Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   OPR MNR

Introduction

This matter was conducted by way of Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (the Act). The landlord applied for an order of possession and a monetary order for unpaid rent.

Preliminary Issue – Separate Tenancies

The landlord named two tenants as respondents in the application. On October 10, 2011 the landlord served the tenants a notice to end tenancy for unpaid rent, indicating that the tenants failed to pay $900 in rent due October 1, 2011. The landlord's application also detailed "unpaid rent for October 2011 900.00." The landlord submitted two tenancy agreements, one for each of the tenants named as respondents in the application, which indicated that each tenant's separate monthly rent was $450.

Because the two tenants have separate rental agreements, they cannot be held jointly responsible for the total monthly rent of $900. The landlord must separately pursue the rent of $450 for each tenant under their respective tenancy agreements, by serving separate notices to end tenancy and filing separate applications. In this application, the notice to end tenancy and the application for dispute resolution are not valid.

Conclusion

The application of the landlord 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: October 14, 2011.

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Residential Tenancy Branch