



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding CHARD PROPERTY GROUP
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: CNC FFT

Introduction

This dispute relates to an Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act) for the following:

1. Cancel a 1 Month Notice to End Tenancy for Cause dated December 16, 2022 (1 Month Notice),
2. Filing fee of \$100.

The applicant and an agent for the landlord, SA (agent) attended the teleconference hearing. At the start of the hearing, I introduced myself and the participants. The parties were advised that I would determine if the applicant had standing to make this application. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Preliminary and Procedural Matter

The applicant and agent confirmed their email addresses. The decision will be emailed to the applicant and agent as a result.

Issue to be Decided

- Does the applicant have standing to file this dispute?

Background and Evidence

A copy of the tenancy agreement was submitted in evidence. According to the two tenancy agreements submitted, the applicant signed a sublet agreement with the original tenant.

In addition, the original tenant who is listed on the tenancy agreement with the landlord, was not present at the hearing or listed on the application.

The agent confirmed that the original tenant was never granted permission to sublet the rental unit. The landlord does not recognize the applicant as a tenant.

Analysis

Based on the documentary evidence and the testimony provided during the hearing, and on the balance of probabilities, I find the following.

I find the applicant has no standing to make this application as they were not listed on the 1 Month Notice submitted in evidence. In addition, the actual tenant was not present at the hearing.

Given the above, I dismiss the application in full as the applicant has no standing to dispute a 1 Month Notice in which they were not named and failed to provide any documentary evidence that they were authorized to represent the tenant listed on the tenancy agreement with the landlord owner.

I decline to grant the filing fee as the applicant has no standing under the Act to dispute the 1 Month Notice submitted.

Conclusion

The application to cancel the 1 Month Notice has been dismissed as a party with no standing filed the application and has no standing under the Act.

This decision will be emailed to the applicant and landlord.

The filing fee is not granted.

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: April 28, 2023

Residential Tenancy Branch