



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This matter dealt with an application by the landlord for an Order of Possession and a Monetary Order for unpaid rent and to recover the filing fee for this proceeding. The landlord also applied to keep all or part of the security deposit.

I have reviewed the documentation provided by the landlord for this application. As part of the application the landlord is required to provide a copy of the two page 10 Day Notice to End Tenancy Due to Unpaid Rent or Utilities. Page two of the notice provides information to the tenant about the reasons given for the Notice and the steps they can take to respond to the Notice

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In the documents before me the landlord has not provided page two of the notice to end tenancy. The tenant confirms that she only received page one of the 10 Day Notice and the landlord confirms that she thought that was the only page served on the tenant at the time. In order for a legal notice to be valid and enforceable it must be complete. As a result I find that the landlord's application must be dismissed with leave to re-apply. The landlord is at liberty to serve a new notice to end tenancy or reapply to pursue the remainder of their application in the event the tenant has moved from the rental unit.

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: September 30, 2009.

Dispute Resolution Officer