



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 did not attend the hearing to confirm if they received both pages of the 10 Day Notice. 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 10 Day notice to End Tenancy and reapply for Dispute Resolution.

Conclusion

The landlords' application is dismissed with leave to reapply.

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 17, 2009.

Dispute Resolution Officer