



# 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 was conducted by way of Direct Request Proceeding, pursuant to section 55(4) of the Act, and dealt with an Application for Dispute Resolution by the Landlord for an Order of Possession and a Monetary Order due to unpaid rent.

The Landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on November 12, 2009 the Landlord served the Tenant with the Notice of Direct Request Proceeding in person. Based on the written submissions of the Landlord, I find that the Tenant has been served as required by s. 89 of the Act with the Dispute Resolution Direct Request Proceeding documents.

As part of the Direct Request Proceeding, the Landlord is required to provide a copy of the tenancy agreement to confirm particulars about the tenancy (including but not limited to the amount of rent and the date it is due). The copy of the tenancy agreement submitted by the Landlord is missing pages 3 and 4 of 6 which contain particulars about the payment of a security and pet damage deposit. It is also signed by only one of the named Landlords. The Landlord is also required to provide a copy of the 10 Day Notice to End Tenancy for Unpaid Rent. The copy of the Notice submitted by the Landlord states that as of September 1, 2009 there were arrears of rent of \$1,100.00, however there is also a written statement next to this box that states this amount is for September and October 2009 rent. Given that October rent was not due (as per the tenancy agreement) until October 1, 2009, there is an inconsistency in this information.

### Conclusion

Based on the foregoing, I find that a conference call hearing is required in order to ascertain the terms of the tenancy agreement and the particulars of the 10 Day Notice. Notices of Reconvened Hearing are enclosed with this decision for the applicant to serve upon the tenant within **three (3) days** of receiving this decision in accordance with section 88 of the Act. 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 24, 2009.

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Dispute Resolution Officer