



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, MNR, 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 for unpaid rent.

The Landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on February 2, 2010 the Landlord served the Tenant in person with the Notice of Direct Request Proceeding. Based on the evidence and written submissions of the Landlord, I find that the Tenant was 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 Parties' tenancy agreement. The copy of the tenancy agreement provided by the Landlord, however, is illegible in many significant spots (such as the name of the Landlord, the rental period, the date the agreement was signed and so forth). As part of the Direct Request proceeding, the Landlord is also required to provide proof of service of the 10 Day Notice to End Tenancy. The copy of the proof of service of the 10 Day Notice provided by the Landlord however is missing the witness's signature and the witness's relationship to the Landlord.

Conclusion

I order that the direct request proceeding be reconvened in accordance with section 74 of the Act so that further information can be obtained about the service of the 10 Day Notice and the tenancy agreement. 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*.

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Dated: February 08, 2010.

Dispute Resolution Officer