

DECISION

Dispute Codes OPR, MNR, MND, MNSD, MNDC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord to obtain an Order of Possession, a Monetary Order for unpaid rent, for damages to the rental unit, for money owed or compensation for damage or loss under the *Residential Tenancy Act (Act)*. The landlord also seeks an Order to keep all or part of the security deposit and to recover the cost of the filing fee.

At the hearing the landlord stated that he served the tenant with notice of this hearing by posting the hearing documents to the tenants' door on April 01, 2010. As the landlord has applied under section 55 of the *Act* for an Order of Possession I accept that the hearing documents were served in accordance with section 89 (2) of the *Act* for the Order of possession; However, in order to deal with the landlords application for a Monetary Order he must serve the tenant either in person or by registered mail.

I have reviewed the documentation provided by the landlord for this application. In the documents before me the landlord has not provided the tenants correct address and has only included the house number on the 10 Day Notice to End Tenancy. In order for a legal notice to be valid and enforceable it must be complete. As a result I find that the landlord has not completed the 10 Day Notice sufficiently in order to proceed with a hearing for an Order of Possession and his application. Therefore, his application must be dismissed with leave to re-apply. The landlord is at liberty to serve a new notice to end tenancy and file a new application for his claim against the tenant.

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: June 08, 2010.

Dispute Resolution Officer