Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, MNR

Introduction

This matter proceeded by way of Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (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.

Background and Evidence

Among other documents, the landlord submitted the following evidentiary material:

- A copy of a 10 Day Notice to End Tenancy for Unpaid Rent which was issued on July 2, 2010, however, the Notice did not set out an effective vacancy date.

Under section 52 of the Act, the Notice to End Tenancy must include the effective date of the Notice, indicating the end of the tenancy.

Analysis

In this case the landlord did not complete the Notice and therefore, it is invalid.

As the Notice to End Tenancy is invalid, the Application of the landlord must be dismissed. The landlord will have to serve the tenant with a properly completed Notice to End Tenancy and file a new Application.

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: August 04, 2010.

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Dispute Resolution Officer