



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, MND, MNR, FF

Introduction

This matter dealt with an application by the landlord for an Order of Possession and a Monetary Order for unpaid rent, for damage to the rental unit and to recover the filing fee for this proceeding.

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 and the tenant did not appear at the hearing to state if she received both pages of the 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 notice to end tenancy or reapply or pursue the remainder of their application in the event the tenant has moved from the rental unit.

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: September 22, 2010.

Dispute Resolution Officer