



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      OPR

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 due to unpaid rent.

On a Direct request application the landlord is required to submit the following evidentiary material:

- A copy of a residential tenancy agreement which was signed by the parties.
- A copy of a 10 Day Notice to End Tenancy for Unpaid Rent, which includes the direct request explanation.
- Proof of service of the 10 day Notice to End Tenancy as either a registered mail receipt or written receipt signed by the tenant or witnessed by a third-party confirming the notice was served.

And before the direct request proceeding can take place the landlord must also supply:

- A copy of the Proof of Service of the Notice of Direct Request Proceeding for each tenant;

On this application the landlord has provided three of the items above; however the landlord failed to provide a copy of a tenancy agreement which is signed and dated by the parties. The copy of the tenancy agreement that has been provided for the hearing is missing the signature page. In the absence of signatures and a date that the

agreement was entered into I am not satisfied that the landlord has provided a reliable tenancy agreement as required to proceed by Direct Request.

Conclusion

This 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: January 27, 2011.

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Residential Tenancy Branch