



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      OPR, MNR

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 due to unpaid rent.

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

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

On this application the landlord has failed to provide proof of service of the 10 day Notice to End Tenancy. Further the 10 day Notice to End Tenancy is a two page notice, and the landlord has only supplied one page of the notice and did not supply the second page which includes the direct request explanation.

Conclusion

Since the applicant has failed to provide proper proof of service of a proper 10 day Notice to End Tenancy as required, 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: March 01, 2011.

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Residential Tenancy Branch