



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR

DECISIONS AND REASON

This hearing dealt with an Application for Dispute Resolution by the landlord to obtain an Order of Possession.

Only the landlord appeared at the hearing and after questioning, confirmed that the 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice") submitted into evidence was unsigned and undated.

Section 52 of the Residential Tenancy Act (the "Act") states that in order for a notice to end tenancy to be effective, it must, among other things, be signed and dated by the landlord giving the Notice.

Conclusion

Based on the aforementioned lack of signature and date, I find the 10 Day Notice to End Tenancy said by the landlord to have been issued on May 5, 2011, does not meet the form and content of section 52 of the Act. Therefore, the 10 Day Notice to End Tenancy is invalid and of no force or effect and I hereby **dismiss** the landlord's application, **without 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: July 13, 2011.

Residential Tenancy Branch