



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, MNDC, FF

Introduction

This hearing was scheduled to deal with an Application for Dispute Resolution by the landlord to obtain an Order of Possession, a Monetary Order for unpaid rent, an Order to keep all or part of the security deposit , a Monetary Order for money owed or compensation for damage or loss and to recover the cost of the filing fee.

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. In order for a legal notice to be valid and enforceable it must be complete and the burden of proof falls to the landlord to show that both pages of this Notice were served to the tenant. In this case the landlord has not met the burden of proof and as a result I find that the landlords' application must be dismissed with leave to re-apply. The landlord is at liberty to serve a new 10 Day Notice to End Tenancy or reapply or pursue the remainder of his application in the event the tenant has moved from the rental unit.

Conclusion

The landlords' 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: September 13, 2011.

Residential Tenancy Branch