



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR OPR

Introduction

This matter was conducted by way of Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (the Act). The landlord applied for an order of possession and a monetary order pursuant to a notice to end tenancy for unpaid rent.

Preliminary Issue – Insufficient Evidence

In their application, the landlord provided the following details of the dispute: “Rent was due on Nov. 01, 2011. Rent has not been received till the form submitted.”

I find that the details of dispute are not sufficiently clear, particularly in reference to the “form.” If the tenants paid the rent in full within five days of being served with the notice to end tenancy, the notice to end tenancy would be void. Even if the tenants did not pay the rent in full within five days of being served with the notice, it is not clear what amount of rent, if any, remains unpaid.

Conclusion

The landlord’s 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: November 22, 2011.

Residential Tenancy Branch