



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an order of possession, a monetary order for unpaid rent and to keep all or part of the security deposit paid.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

Preliminary issue

When a dispute involves a notice to end tenancy, the notice to end tenancy must be submitted to the Residential Tenancy Branch. The landlord did not comply with the instructions on the landlord's application for dispute resolution and did not file a copy of the notice to end tenancy as required.

Therefore, I dismiss the landlord application for an order of possession with leave to re-apply.

Conclusion

The landlord application is dismissed with leave to re-apply.

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 07, 2012.

Residential Tenancy Branch