



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an order of possession and a monetary order for unpaid rent.

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 instruction on the landlord's application for dispute resolution and did not file a copy of the notice to end tenancy as required. The landlord could not provide an accurate account of the contents of the notice to end tenancy and the tenant no longer had their copy of the notice.

Therefore, I dismiss the landlord application for an order of possession and a monetary order 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: April 12, 2012.

Residential Tenancy Branch