



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, FF

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67;
3. An Order to recover the filing fee for this application - Section 72.

The Landlord and Tenant were each given full opportunity to be heard, to present evidence and to make submissions.

At the onset of the Hearing, the Landlord confirmed that the Tenant was served with a 10 Day Notice to End Tenancy for Unpaid Rent, a copy of which was provided as evidence. It is noted that this notice is in an outdated form.

Section 46 of the Act provides that a notice to end tenancy must comply with section 52. Section 52 provides that in order to be effective, a notice to end tenancy must be in the approved form. As the form used by the Landlord is outdated and not in the approved form, I find that the Notice is of no effect. I therefore dismiss the application 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: April 04, 2012.

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Residential Tenancy Branch