



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPL, FF

### Introduction

This matter dealt with an application by the Landlord for an Order of Possession and to recover the filing fee for this proceeding.

At the start of the hearing the DRO questioned the Landlord why there was no Notice to End Tenancy included in the evidence package. The Landlord said they thought they had included it when they made their application. The DRO reviewed the evidence that was sent in and it included: the Application, the Notice of Hearing, part of the tenancy agreement, a previous Decision, 2 letters from the municipality and a receipt for the filing fee of \$50.00. The Landlord said they have the Notice to End Tenancy but it must have been missed somehow.

The Tenant asked if the Landlord reappplies if the meeting could be face to face and if it could be pending her application. I told the Tenant she could contact an Information Officer to answer these questions and any other questions she may have on the Dispute Resolution Process. The Tenant agreed to do that.

Consequently as there is no Notice to End Tenancy in the evidence package it is not possible to determine if the Notice is valid or not. I find there is a lack of evidence to proceed with the hearing and therefore; I dismiss the Landlord's application with leave to reapply.

### Conclusion

The Landlord's application for an Order of Possession and to recover the filing fee of \$50.00 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*.

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Residential Tenancy Branch