



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

This non-participatory matter was conducted by way of direct request proceeding, pursuant to section 55(4) of the Residential Tenancy Act (the "Act"), and dealt with an application for dispute resolution by the landlord for an order of possession and a monetary order for unpaid rent.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on May 30, 2012, the landlord served the tenant with the Notice of Direct Request Proceeding via registered mail.

Based on the written submissions of the landlord, I find that the tenant has been duly served with the Direct Request Proceeding documents.

Issue(s) to be Decided

Is the landlord is entitled to an order of possession for unpaid rent and to a monetary order for unpaid rent?

Background and Analysis

The landlord has provided a copy of tenancy agreement, listing a rental unit with a different address than the one listed on the 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice") and the landlord's application for dispute resolution, both which were also provided into evidence.

Due to these inconsistencies in the documents, I am not able to determine on a direct request proceeding that the rental unit listed in the tenancy agreement is the same one listed on the other two relevant documents.

I therefore find that this application does not meet the requirements for the Direct Request process.

Conclusion

I hereby order that the 10 Day Notice to End Tenancy for Unpaid Rent issued and dated May 3, 2012, is without force or effect.

I hereby dismiss the landlord's application, without leave to reapply.

The landlord is at liberty to issue another 10 Day Notice to End Tenancy for Unpaid Rent to the tenant, and if necessary, request a conference call hearing for the purpose of proving that the rental unit listed in the tenancy agreement is the same rental unit listed in other documents, or to explain the inconsistencies.

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: June 05, 2012.

Residential Tenancy Branch