



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

This matter was conducted by way of a Direct Request proceeding, pursuant to Section 55(4) of the *Residential Tenancy Act* in response to an application made 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 which declares that on June 22, 2012 the landlord served the tenant with the Notice of Direct Request Proceeding in person. Based on the written submissions of the landlord, I find that the tenant has been served with the Notice of Direct Request proceeding requesting an Order of Possession and a monetary order.

Issue(s) to be Decided

- Is the landlord entitled to an Order of Possession for unpaid rent?
- Is the landlord entitled to a monetary order for unpaid rent?

Background and Evidence

The landlord submitted the following evidentiary material:

- A copy of a residential tenancy agreement which was signed by the landlord and the tenant on February 24, 2012 for a tenancy commencing on March 01, 2012, for the monthly rent of \$650.00 payable on the 1st day of each month;
- A copy of the first page of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities which was issued on June 04, 2012 with an effective date of vacancy of June 15, 2012, due to \$650.00 in unpaid rent that was due on June 01, 2012;

- A copy of a Proof of Service of the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities that states that the tenant was served with the notice on June 05, 2012 by posting it to the door of the rental unit;
- The Landlord's Application for Dispute Resolution dated June 21, 2012 which states that the tenant has not paid the rent for the month of June, 2012.

Analysis

In the documents submitted by the landlord in this application, the landlord has not provided page two of the notice to end tenancy. The *Residential Tenancy Act* states that in order to be effective, the notice to end tenancy provided by the landlord must be in the approved form, which includes 2 pages. Page 2 of the form is particularly important as it gives important information to tenants with respect to the rights and obligations of a tenant regarding unpaid rent. As part of an application the landlord is required to serve to the tenant, and then submit as evidence in their application, both pages of the notice to end tenancy.

Conclusion

For the reasons set out above, the landlord's application is hereby 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*.

Dated: June 27, 2012.

Residential Tenancy Branch