



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

OPR, & MNR

Introduction

This is an application for a Direct Request Proceeding, pursuant to section 55(4) of the Act, and deals with an Application for Dispute Resolution by the landlord for an Order of Possession and a monetary order due to unpaid rent.

On a Direct request application the landlord is required to submit the following evidentiary material:

- A copy of a residential tenancy agreement which was signed by the parties.
- A copy of a 10 Day Notice to End Tenancy for Unpaid Rent, which includes the direct request explanation.
- Proof of service of the 10 day Notice to End Tenancy as either a registered mail receipt or written receipt signed by the tenant or witnessed by a third-party confirming the notice was served.

In this case I have concern with the tenancy agreement that has been submitted because although it says that the tenancy began October 1, 2010, and states that it was signed October 1, 2010, there is a date beside the tenant signature, that states February 2, 2012.

Secondly I also have a concern with the breakdown of a monetary claim, as it is somewhat vague. Part of the claim states that there is \$2200.00 outstanding for the months of April, May, June, and July, 2011 however there is no breakdown of how that amount is arrived at.

Therefore it is my decision that this hearing must proceed to a full conference call hearing and cannot be dealt with as a direct request hearing.

I therefore have instructed the Residential Tenancy Branch to schedule a hearing for this matter and to mail hearing letters to all parties, stating the date and time of the scheduled hearing.

Once the applicant receives the hearing letter, the applicant must serve the respondent with copies of the hearing letter, and with the application for dispute resolution, and all copies of the documents provided for the hearing, within three days of receiving the hearing letter.

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: August 16, 2012.

Residential Tenancy Branch