



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

This matter dealt with an application by the Landlord for an Order of Possession and a monetary Order for unpaid rent.

At the start of the conference call the Landlord was made aware that he did not provide a copy of the Notice to End Tenancy or a copy of the Tenancy Agreement in the evidence. Without a copy of a valid Notice to End Tenancy and a copy of the tenancy agreement the Landlord cannot establish grounds to support his claims for an Order of Possession or for a monetary order for unpaid rent.

The Tenant said she did not receive a copy of the Notice to End Tenancy.

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 a Monetary Order 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*.

Residential Tenancy Branch