



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, FF

Introduction / Background / Evidence

This hearing was scheduled in response to the landlord's application for an order of possession / a monetary order as compensation for unpaid rent / and recovery of the filing fee. Both parties attended the hearing and gave affirmed testimony.

There is no written tenancy agreement in evidence for this tenancy which began about two years ago. Monthly rent is \$1,100.00. A security deposit of \$550.00 was collected.

In his application the landlord claims that the following rent is outstanding:

\$153.77: July \$1,100.00: August \$1,100.00: September

During the hearing the landlord also claimed that no rent has been paid for October.

While both parties agree that the landlord served a 10 day notice to end tenancy for unpaid rent, a copy of the notice is not in evidence and neither party had a copy before them during the hearing. The tenant also disputes that any rent is currently overdue. No documentary evidence was submitted by the tenant, and further to the application itself, no documentary evidence was submitted by the landlord.

Conclusion

In the absence of sufficient documentary evidence to support the application, it 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: October 19, 2012.

Residential Tenancy Branch