



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MND, FF

Introduction

This hearing was convened by way of conference call in response to the landlords application for an Order of Possession for unpaid rent or utilities; for a Monetary Order for unpaid rent or utilities; a Monetary Order for damage to the unit, site or property; and to recover the filing fee from the tenant for the cost of this application.

I have reviewed the documentation provided by the landlords for this application. As part of the application the landlords are required to provide a copy of the two page 10 Day Notice to End Tenancy Due to Unpaid Rent or Utilities. Page two of the notice provides information to the tenant about the reasons given for the Notice and the steps they can take to respond to the Notice.

In the documents before me the landlords have not provided page two of the notice to end tenancy. In order for a legal notice to be valid and enforceable it must be complete and the burden of proof falls to the landlords to show that both pages of this Notice were served to the tenant. In this case the landlords have not met the burden of proof and as a result I find that the landlord's application must be dismissed with leave to re-apply.

Conclusion

The landlord's application 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*.

Dated: November 20, 2012.

Residential Tenancy Branch