



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Oceanview Apartments
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR MNR

Introduction

This matter proceeded by way of Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (the “Act”), and dealt with an Application for Dispute Resolution by the landlord for an order of possession for unpaid rent.

In addition to other documentary evidence, the landlord submitted a tenancy agreement which did not list an amount of monthly rent owed by the tenant.

Preliminary Issue

The direct request procedure is based upon written submissions only. Accordingly, written submissions must be sufficiently complete in order to succeed. One of the documents that must be submitted in order to qualify for the direct request procedure is a tenancy agreement stating the amount of rent payable for a specified period under section 13 (2)(f)(iv) of the Act.

In this case I find the landlord’s tenancy agreement to be deficient as I could not determine from the landlord’s tenancy agreement the amount of rent due, as mentioned in the landlord’s 10 Day Notice to End Tenancy for Unpaid Rent.

Under these circumstances, I **dismiss** the landlord’s application **with leave to reapply**.

The landlord should not apply for a direct request proceeding unless all documents are prepared in accordance with the Act and Regulations. Therefore, the landlord may wish to submit a new application through the normal dispute resolution process which includes a participatory hearing.

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* and is being mailed to both the applicant and the respondent.

Dated: April 30, 2013

Residential Tenancy Branch