



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR & MNR

Introduction

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

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on June 12, 2013 the landlord served the tenant with the Notice of Direct Request Proceeding by registered mail. Section 90 of the Residential Tenancy Act determines that a document is deemed to have been served on the fifth day after it was sent.

Based on the written submissions of the landlord, I find that the tenant has been served with the Dispute Resolution Direct Request Proceeding documents.

Background and Evidence

The landlord submitted the following evidentiary material:

- A copy of the Proof of Service of the Notice of Direct Request Proceeding for the tenant;
- A copy of a the first page, the third page and the fifth page of the residential tenancy agreement; and

- A copy of a 10 Day Notice to End Tenancy for Unpaid Rent which was issued on, June 02, 2013 with an effective vacancy date of June 11, 2013 due to \$1,400.00 in unpaid rent.

Analysis

I have reviewed all documentary evidence before me and find the landlord has not provided a complete tenancy agreement in evidence which would allow me to determine the date the tenancy started, the amount of rent agreed upon, the services provided and the last page of the agreement showing the parties signature and the date the tenancy agreement was entered into.

Conclusion

I dismiss the landlord's application with leave to re-apply. In the absence of a complete tenancy agreement I am not satisfied that the landlord has provided a reliable tenancy agreement as required to proceed by Direct Request Proceeding.

Dated: June 18, 2013

Residential Tenancy Branch