



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

This non-participatory matter was conducted by way of a 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 the rental unit due to unpaid rent and for a monetary order for unpaid rent.

Evidence

In addition to other documentary evidence, the landlord submitted a copy of a tenancy agreement that did not include the day in the month on which the rent is due.

Analysis and Conclusion

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 day in the month on which the rent is due, pursuant to section 13 (2)(f)(v) of the Act.

I therefore find the landlord's tenancy agreement to be deficient as required by the Act and I therefore **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: July 24, 2013

Residential Tenancy Branch