



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** OPR, MNSD, MNR, FF

### **Introduction**

This is the Landlord's application for an Order of Possession; a Monetary Order for unpaid rent and loss of revenue; to apply the security deposit towards his monetary award.; and to recover the cost of the filing fee from the Tenant.

The Landlord gave affirmed testimony at the Hearing.

The Landlord testified that he served the Tenant with a copy of his Application and the Notice of Dispute Resolution by handing the documents to the Tenant at the rental unit on November 26, 2013.

### **Preliminary Matters**

The Landlord did not provide any documentary evidence to the Residential Tenancy Branch or to the Tenant, including a copy of the Notice to End Tenancy for Unpaid Rent in evidence. He stated that he did not keep a copy of the Notice, but that the Notice was served on November 3, 2013.

I explained to the Landlord that I could not confirm whether or not the Notice to End Tenancy was a valid notice pursuant to the provisions of Section 52 of the Act, without referring to a copy of the Notice. I also explained the importance of providing the Tenant with copies of his documentary evidence to support his claim. I advised the Landlord that he may wish to speak with an Information Officer about how to proceed if he chose to serve the Tenant with another Notice to End Tenancy.

The teleconference remained open for 15 minutes, during which time the Tenant did not sign into the teleconference.

### **Conclusion**

The Landlord's application based on the Notice served November 3, 2013, is dismissed. The Landlord is free to issue and serve another Notice to End Tenancy upon the Tenant and to file another application for an Order of Possession based on that Notice to End Tenancy.

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: December 05, 2013

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Residential Tenancy Branch

