



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

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 and a monetary order for unpaid rent.

In addition to other documentary evidence, the landlord submitted a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “10 Day Notice”) which was missing the second page of the two-page 10 Day Notice document, the second page of which includes the information on how a tenant can dispute the 10 Day Notice, among other information.

Preliminary Issue and Conclusion

The Direct Request process is a mechanism that allows the landlord to apply for an expedited decision, with that the landlord must follow and submit documentation exactly as the *Act* prescribes; there can be no omissions or deficiencies with items being left open to interpretation or inference.

In this matter, the landlord failed to include the second page of the 10 Day Notice which includes the information on how the tenant can dispute the 10 Day Notice, among other information. As a result, **I dismiss** the landlord’s application **with leave to reapply**.

The landlord should not apply for a direct request proceeding unless all documents are provided in full. Therefore, the landlord may wish to submit a new application; however is reminded to include all documents, including the second page of double-sided and/or multiple page documents.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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 10, 2013

Residential Tenancy Branch

