



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding NPR Limited Partnership  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNR

### Introduction and Preliminary Matter

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"), via the documentary submissions of the landlord, 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.

In addition to other documentary evidence, the landlord submitted a tenancy agreement that did not include the complete date on which the parties signed the tenancy agreement. Additionally, certain essential portions of the tenancy agreement, such as the tenants' names, the rental unit address, the start date of the tenancy, and the monthly rent obligation, were either illegible or nearly illegible as telefaxed, due to gray, highlighted areas not easily readable in telefaxed documents.

### Analysis and Conclusion

The direct request procedure is based upon written submissions only. Accordingly, written submissions must be sufficiently complete and compliant 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 complying with the requirements of the Act, in this case, section 13(2)(d), which requires that the tenancy agreement contain the date the tenancy agreement is entered in to by the parties.

Additionally, the tenancy agreement supplied by the landlord was illegible as described above.

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 respondents.

Dated: January 23, 2014

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Residential Tenancy Branch

