



Dispute Resolution Services

Page: 1

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.

Analysis and Conclusion

In addition to other documentary evidence, the landlord submitted the first page of a 2 page 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “Notice”), a proof of service of the Notice, and a photograph of the first page and the proof of service attached to the tenants’ door.

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 complete copy of a two page 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

As there was not a copy of the 2nd page, I cannot infer that the tenants received the 2nd page of the 2 page Notice as required.

I therefore find the landlord’s 10 Day Notice to be deficient as required by the Act.

I therefore I dismiss the landlord’s application with leave to reapply.

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 02, 2014

Residential Tenancy Branch

