



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

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”) dated January 3, 2014, which included a different residential address for the tenant than the address of the tenant as written in the landlord’s Application for Dispute Resolution and the tenancy agreement submitted in evidence.

Preliminary Issue

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 10 Day Notice completed by the landlord included an address for the tenant that did not match the tenant’s residential address as listed on the tenancy agreement, or the landlord’s Application for Dispute Resolution. Given the discrepancy between the tenant’s address listed on the tenancy agreement and the address provided on the 10 Day Notice, **I find** the 10 Day Notice is **invalid** as it does not comply with section 52 of the *Act* as the 10 Day Notice does not include the address of the rental unit. Therefore, **I cancel** the 10 Day Notice dated January 3, 2014.

I dismiss the landlord’s application for an order of possession for unpaid rent and a monetary order for unpaid rent, **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, the landlord will require **a new 10 Day Notice** that includes the correct address of the rental unit, and meets the requirements of section 52 of the *Act*.

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: January 21, 2014

Residential Tenancy Branch

