



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR

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.

In addition to other documentary evidence, the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “10 Day Notice”) is not legible. Specifically, the rental unit address, effective vacancy date, last name of tenant, and full name of landlord has a large black mark on the document, rendering the 10 Day Notice as submitted, illegible.

Preliminary Issue, Analysis 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 case, the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “10 Day Notice”) as submitted by the landlord, is not legible. Specifically, the rental unit address, effective vacancy date, last name of tenant, and full name of landlord has a large black mark on the document, rendering the 10 Day Notice as submitted, illegible. Under these circumstances, **I dismiss** the landlord's application **with leave to reapply**. The landlord should not apply for a direct request proceeding unless all documents are completed in full and there are no documents which can be open to interpretation or inference.

Therefore, the landlord may wish to either submit a new application through the normal dispute resolution process, which includes a **participatory hearing**, or ensure that all evidence is legible.

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: February 11, 2014

Residential Tenancy Branch

