



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, OPR

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 landlord submitted the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the "10 Day Notice") that is dated on February 17, 2014 but seeks unpaid rent for the month of March 2014. The notice is premature in its nature. The landlords' application is **not** appropriate for a direct request proceeding as submitted. 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. Given the above, the landlord will need to re-serve the 10 Day Notice and provide a new proof of service document for the 10 Day Notice, as the 10 Day Notice cannot be served before the rent is due.

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*.

Dated: March 24, 2014

Residential Tenancy Branch

