



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

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 (the “Application”).

In addition to other documentary evidence, the landlord submitted an undated 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “10 Day Notice”) that did not include the name, address or signature of the landlord and which was unclear as to the amount of rent owing, as the amount was not legible. Further, the address of the rental unit is noted as “R” on the Application, “AVE” on the Tenancy Agreement and no such indicator on the 10 Day Notice.

Preliminary Issue

The Direct Request process is a mechanism which allows the landlord to apply for an expedited decision, provided that the landlord follows and submits 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 submitted in evidence is missing the name, address and signature of the landlord, and is undated. In addition, the amount of rent owing is not legible. Consequently, I find that the undated 10 Day Notice is invalid as it does not comply with section 52 of the *Act*. Accordingly, I also find the undated 10 Day Notice is of no force or effect. Therefore, I dismiss the landlord’s application for an order of possession as the 10 Day Notice is invalid. Further, the landlord’s application for a monetary order for unpaid rent is dismissed with leave to reapply.

The landlord is at liberty to serve a new 10 Day Notice that complies with section 52 of the *Act*, before applying for an order of possession.

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: July 31, 2014

Residential Tenancy Branch

