



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes OPR MNR

Introduction

This matter was conducted by way of Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (the Act). The landlord applied for an order of possession and a monetary order for unpaid rent.

Preliminary Issue – Tenant Evidence

The tenant named as the respondent in this matter submitted evidence that may alter the outcome of the landlord's application. The tenant's evidence indicates that he may have had an agreement with the landlord to pay in weekly installments. Should that be the case, the notice to end tenancy for unpaid rent may not be valid.

Conclusion

As the tenant has submitted evidence that may alter the outcome of this proceeding, I find that a hearing is required. In accordance with section 74 of the Act, I hereby order that the direct request proceeding be reconvened as a teleconference hearing, on the date and time set out in the enclosed Notice of Reconvened Hearing.

The landlord must serve the tenant with a copy of the Notice of Reconvened Hearing, as well as a copy of this decision, within **three (3) days** of receiving this decision.

Each party must serve the other and the Residential Tenancy Branch with any evidence that they intend to reply upon at the hearing. Fact sheets are available at <http://www.rto.gov.bc.ca/content/publications/factSheets.aspx> that explain evidence and service requirements. If either party has any questions they may contact an information officer with the Residential Tenancy Branch at:

Lower Mainland: 604-660-1020
Victoria: 250-387-1602
Elsewhere in BC: 1-800-665-8779

Failure to attend the hearing at the scheduled time, with all relevant documents and/or witnesses, will result in a decision being made on the basis of any information before the arbitrator and the evidence of the party in attendance at the hearing.

This interim 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: August 7, 2014

Residential Tenancy Branch

