



# 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:

- a copy of the undated Residential Tenancy Agreement which was signed by the tenants and not signed by the landlord; and
- A copy of the Proof of Service of the 10 Day Notice to End Tenancy for Unpaid Rent dated July 7, 2014, yet the 10 Day Notice was dated on July 8, 2014

### 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 Proof of Service of the 10 Day Notice is dated before the date of the 10 Day Notice such that it is not possible to conclude the 10 Day Notice was served as alleged. Further, the Tenancy Agreement is not dated nor is it signed by the landlord.

Consequently I dismiss the landlord’s application with leave to reapply. The landlord may wish to submit a new application through the normal dispute resolution process which includes a participatory hearing as this application is not suitable for the direct request process.

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: August 01, 2014

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Residential Tenancy Branch

