



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.

In addition to other documentary evidence, the landlord provided details which were not legible and, as a result, provided insufficient details on how the landlord arrived at the amount being claimed against the tenant as owing for unpaid rent.

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 has provided a document which is not legible and which I find provides insufficient details to support the amount listed on the 10 Day Notice as owing which is listed as \$764.60 and the amount being claimed in the application before me, \$59.60.

Under these circumstances, I **dismiss** the landlord's application **with leave to reapply**. The landlord should not apply for a direct request proceeding unless the application is clear regarding the monetary amount being claimed, including for which month(s) rent is being claimed, or portions thereof, and that 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 submit a new application through the normal dispute resolution

process which includes a **participatory hearing** as this application, as submitted, 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: September 17, 2014

Residential Tenancy Branch

