



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 failed to provide a copy of a tenancy agreement, the landlord provided conflicting monetary details between the monetary order worksheet and the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “10 Day Notice”), and failed to complete the day and time the 10 Day Notice was served on the proof of service document submitted in evidence.

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 the matter before me, the landlord failed to provide a copy of a tenancy agreement, the landlord provided conflicting monetary details between the monetary order worksheet and the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “10 Day Notice”), and failed to complete the day and time the 10 Day Notice was served on the proof of service document submitted in evidence.

Under these circumstances, **I dismiss** the landlord’s application **with leave to reapply**. The landlord should not apply for a direct request proceeding unless there is a written tenancy agreement submitted, 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 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 22, 2014

Residential Tenancy Branch

