



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR

Introduction

This hearing proceeded by way of Direct Request Proceeding, pursuant to section 55(4) of 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 Landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on September 9, 2014, at 4:15 p.m. the Landlord personally served the Tenant with the Notice of Direct Request Proceeding. Based on the written submissions of the Landlord, I find that the Tenant has been sufficiently served with the Dispute Resolution Direct Request Proceeding documents.

Issue(s) to be Decided

Does this application meet the requirements of the Direct Request process?

Background and Evidence

I have carefully reviewed the following evidentiary material submitted by the Landlord:

- A copy of the Proof of Service of the Notice of Direct Proceeding for the Tenant;
- A copy of the Landlord's Application for Direct Request and the Monetary Order Worksheet;
- A copy of an illegible residential tenancy agreement ;
- A copy of a 10 Day Notice to End Tenancy for Unpaid Rent which was issued on, September 2, 2014, with an effective vacancy date of September 12, 2014, due to \$630.00 in unpaid rent that was due September 1, 2014; and
- A proof of service document for service of the 10 Day Notice

Analysis

The Direct Request procedure is based upon written submissions only and requires that the submissions be sufficiently clear, valid and supported by evidence in order to succeed. Evidence must be submitted to prove that a tenancy agreement exists between the applicant and the named respondent(s).

In this case the Applicant submitted an illegible copy of a tenancy agreement and I cannot ascertain who the named parties are nor can I confirm the standard terms of this agreement. Based on the aforementioned I find that this application does not meet the requirements for the Direct Request process, and the claim is dismissed, with leave to reapply.

Conclusion

The Landlord's application is hereby dismissed, with leave to reapply.

No findings of fact or law have been made pertaining to the 10 Day Notice issued September 2, 2014.

This 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: September 18, 2014

Residential Tenancy Branch

