



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, OPR

The landlord has applied for an order of possession and a monetary order by way of the Direct Request Process. The landlord has submitted a “Proof of Service” document to accompany the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities. The “Proof of Service” reflects the landlord served the tenant on October 20, 2014 with the Notice by having a witness present when posting the Notice on the tenant’s door. Although the landlord has submitted the “Proof of Service” document, it is not complete. The document requires the person serving the notice to end tenancy to sign and provide specific details. I am not satisfied that the tenant was served the actual Notice in the manner as prescribed by the Act. The landlords’ incomplete nature of their documentation raises questions and concerns. In addition, the landlord is seeking \$1800.00 rent yet the tenancy agreement reflects that the rent is \$1700.00 per month. The landlord has not submitted the appropriate Notice of Rent Increase forms along with their application to support the amount sought.

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 as is the case before me.

I am unable to consider the landlords’ application for a monetary award and order of possession against the tenant due to the landlords’ incomplete paperwork to support the service of the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities or the amount being sought.

The landlords' application is dismissed with leave to reapply.

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: November 25, 2014

Residential Tenancy Branch

