



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, OPC, OPR

Introduction

This is an application brought by the Landlord requesting an Order of Possession, a monetary order in the amount of \$10,000.00, and requesting recovery of the \$100.00 filing fee.

All parties were affirmed.

Issue(s) to be Decided

The issue is whether or not the landlord has the right to an Order of Possession, and whether the landlord has established monetary claim against the respondent, and if so in what amount.

Background and Evidence

This tenancy began on August 1, 2014 with a monthly rent of \$1300.00.

The tenant paid a security deposit of \$650.00.

The landlord claims that the tenant was served with a one-month Notice to End Tenancy and a ten-day Notice to End Tenancy, and that the tenant has failed to comply with either of those notices.

The landlord also claims that there is a total of \$8475.00 in rent outstanding, as of today's date, a claim that the tenant disputes.

The landlord further testified that they have not supplied any evidence with their file, they only filled out the application. The landlord further stated that they were unaware of the requirement to provide evidence.

Analysis

It is my decision that since the applicants have failed to provide any evidence whatsoever for today's hearing that I will not allow the request for an Order of Possession or a monetary order, as there is no information to justify issuing either of those orders.

In the absence of either of the notices to end tenancy I have no way of verifying whether or not they were valid notices.

In the absence of any evidence supporting the monetary claim I have no way of determining how much if any rent is outstanding.

It is my understanding that English is not the applicant's first language, and therefore, since this issue may well of arisen due to a misunderstanding, I am willing to dismiss this application with leave to reapply. The applicant may apply again and provide the proper supporting evidence for any future hearing.

Conclusion

This application is dismissed in full 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 17, 2015

Residential Tenancy Branch

