



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNR OPR FF

### Introduction

This hearing dealt with the Landlords' Application for Dispute Resolution dated February 29, 2016 (the "Application"). The Landlords seeks an order of possession, a monetary order for unpaid rent, and reimbursement of the filing fee.

### Procedural and Evidentiary Matters

Only the Landlord appeared at the hearing. On examination of the Landlord's documentary evidence, the only item submitted in support of the Application was a Canada Post Customer Receipt with a tracking code. This was tendered as evidence of service of the Notice of a Dispute Resolution Proceeding upon the Tenant.

Although the Landlord gave affirmed testimony concerning service of the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities on February 2, 2016 (the "10 Day Notice"), a copy was not included in evidence.

Given the importance of the 10 Day Notice in establishing the Landlord's claim, the Landlord was asked to provide copies of the following documents:

1. the 10 Day Notice;
2. the tenancy agreement between the Landlord and the Tenant; and
3. all receipts issued by the landlord for payments received from the Tenant since January 1, 2016.

The Landlord agreed and was provided with the writer's fax number. He was further instructed to submit the above documents by 3:00 p.m., failing which his application would be dismissed with leave to reapply.

The requested documents were not received in the time provided. Accordingly, the Landlord's application is dismissed with leave to reapply.

Conclusion

The Landlord's 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: April 15, 2016

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Residential Tenancy Branch