



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR, MNR, FF

### Introduction

This matter dealt with an application by the Landlord for an Order of Possession, a Monetary Order for unpaid rent and to recover the filing fee.

At the start of the hearing the Arbitrator questioned the Landlord why there was no date on the 10 Day Notice to End Tenancy for Unpaid Rent that was included in the evidence package. The Landlord said he had made a error and forgot to fill in the date on the 10 Day Notice to End Tenancy for Unpaid Rent. The Arbitrator told the Landlord that section 52 (a) of the Act says a Notice to End Tenancy **must** have a date on it to be effective and valid. The Arbitrator said the 10 Day Notice to End Tenancy for Unpaid Rent is not valid as it is not dated.

The Arbitrator indicated he understood the Landlord's disappointment, but the Landlord could start the process over again. The Landlord said he understood and he would make another application.

The Tenants did not attend the hearing, so it was not possible to confirm if the Tenants received the 10 Day Notice to End Tenancy and when they received it. .

Consequently as the 10 Day Notice to End Tenancy is not dated the Notice is not effective or valid. I dismiss the Landlord's application with leave to reapply due to the Notice not being completed correctly.

.

### 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: July 04, 2018

---

Residential Tenancy Branch