Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   OPR, OPL

DECISION AND REASONS

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord to obtain an Order of Possession.

The landlord and an interpreter appeared at the hearing and after questioning, confirmed that the 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice") submitted into evidence did not list an amount of unpaid rent.

The 2 Month Notice to End Tenancy for Landlord's Use was submitted by the previous owner, not the landlord, and was previously determined to be invalid by the Residential Tenancy Branch in a Decision issued on May 16, 2011, file # 772563. I note the landlord mentioned the previous dispute and provided the file number.

The tenants did not appear at the hearing.

Section 52 of the Residential Tenancy Act (the "Act") states that in order for a notice to end tenancy to be effective, it must, among other things state the grounds for ending the tenancy.

Conclusion

Based on the aforementioned lack of reason for ending the tenancy, in other words, no unpaid rent was listed, I find the 10 Day Notice to End Tenancy said by the landlord to have been issued on June 3, 2011, does not meet the form and content of section 52 of the Act. Therefore, the 10 Day Notice to End Tenancy is invalid and of no force or effect.

Likewise the 2 Month Notice to End the Tenancy for Landlord's Use submitted by the landlord has no relevance to this hearing.

Due to the above, I hereby **dismiss** the landlord's application, **without 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 13, 2011.

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Residential Tenancy Branch