Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   OPR MNR

Introduction

This matter was conducted by way of Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (the Act). The landlord applied for an order of possession and a monetary order.

Preliminary Issue – Amount of Unpaid Rent

The Notice to End Tenancy for Unpaid Rent, dated November 2, 2011, states that the tenant owed $1340 in unpaid rent. A notation on the notice reads "Oct $640/Nov 700." In their application, the landlord provided the following details: "full rent payment was not made for October, (only $160 of $700 due). No rent has been paid for November. Tenant owes $1340 back rent."

If the tenant paid $160 of the rent for October 2011, then the outstanding balance for October would be $540, not $640. It is not clear from the evidence whether the amount owing totals $1340 or $1240. I cannot determine from the evidence before me whether the notice to end tenancy indicates the correct amount of rent owing.

Conclusion

The 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 30, 2011.

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Residential Tenancy Branch