



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

This hearing was convened in response to an application filed by the landlords. The landlords are seeking an Order of Possession based on a 10 day Notice to End Tenancy for unpaid rent.

The landlords testified that they served the Notice to End Tenancy and the Application for Dispute Resolution both by registered mail.

Issue(s) to be Decided

Have the landlords met the burden of proving they have cause to end this tenancy?
Have the landlord met the burden of proving they are entitled to a monetary Order for compensation for damage or loss?

Evidence and Findings

The landlords did not submit a copy of the 10 day Notice they say they served on the tenant. Further, while the landlords claim the costs of NSF cheques (\$80.00) and the late payment fees totalling \$60.00 they have not submitted documentary evidence to show that they paid NSF fees; nor have they submitted a copy of the Tenancy Agreement signed by the parties to demonstrate that they are able to charge late payment fees. The landlords say that all of this evidence was submitted to “the Court” although no such evidence is before me.

Due to the lack of documentary evidence I will dismiss this claim. I will however, dismiss it 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 23, 2012.

Residential Tenancy Branch

