Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   OPR MNR

Introduction

This matter proceeded by way of Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (the "Act"), and dealt with an Application for Dispute Resolution by the landlord for an order of possession for unpaid rent and a monetary order for unpaid rent.

In addition to other documentary evidence, the landlord submitted in their details of dispute that "the tenant failed to pay several months of rent", however the ledger provided does not support the monetary claim of $680.00 being sought.

Preliminary Issue, Analysis and Conclusion

The Direct Request process is a mechanism that allows the landlord to apply for an expedited decision, with that the landlord must follow and submit documentation <u>exactly</u> as the *Act* prescribes; there can be no omissions or deficiencies with items being left open to <u>interpretation or inference.</u>

In this case, the landlord has submitted a monetary claim of $680.00, however, the ledger provided does not support the amount being claimed. Furthermore, the landlord provided insufficient details of their dispute by stating "the tenant failed to pay several months of rent", however, did not specify which month or months of rent are specifically owed.

Under these circumstances, **I dismiss** the landlord's application **with leave to reapply**. The landlord should not apply for a direct request proceeding unless all documents are completed <u>in full and there are no documents which can be open to interpretation or inference</u>. Therefore, the landlord may wish to submit a new application through the normal dispute resolution process which includes a **participatory hearing** as this application is not suitable for the direct request process.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: August 07, 2013

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Residential Tenancy Branch