



Dispute Resolution Services

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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 landlords for an order of possession for unpaid rent and a monetary order for unpaid rent.

In addition to other documentary evidence, the landlords submitted a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “10 Day Notice”) dated February 8, 2014 that did not include the full address of the rental unit above where the landlord signed the 10 Day Notice.

Preliminary Issue

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 exactly as the *Act* prescribes; there can be no omissions or deficiencies with items being left open to interpretation or inference.

In this matter, the 10 Day Notice submitted in evidence dated February 8, 2014 is missing the full address of the rental unit. Given the above, **I find** that the 10 Day Notice is **invalid** as it does not comply with section 52 of the *Act*. Given the above, **I find** the 10 Day Notice dated February 8, 2014 is of no force or effect. Therefore, **I dismiss** the landlord’s application for an order of possession as the 10 Day Notice is invalid. The landlord’s application for a monetary order for unpaid rent is **dismissed with leave to reapply**.

The landlord will have to serve a **new 10 Day Notice** that complies with section 52 of the *Act*, before applying for an order of possession.

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: March 5, 2014

Residential Tenancy Branch

