



# Dispute Resolution Services

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION AND REASONS**

### Dispute Codes

OPR, MNR, MNSD, FF

### Introduction

This hearing proceeded by way of Direct Request Proceeding, pursuant to section 55(4) of the Act, and dealt with an Application for Dispute Resolution by the landlord for an Order of Possession and a monetary order.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on August 5, 2009 the landlord served each tenant with the Notice of Direct Request Proceeding by registered mail. The landlord has submitted copies of Canada Post receipts but has indicated only the tenant's names and failed to indicate the service address used.

Based on the written submissions of the Landlord, I can not find that the tenants have been duly served with the Dispute Resolution Direct Request Proceeding documents as I am unable to determine the address used for service.

The landlord has requested compensation for unpaid rent in the sum of \$1,690.00 but has not indicated any details of the arrears claimed. The amount is not the equivalent to monthly rent owed and the landlord has not provided any evidence of rent increases that may be been imposed or partial rent payments made by the tenant.

Further, the tenancy agreement is signed by one of two tenants named on the application for dispute resolution and the tenant's signature is not discernable.

### Analysis

In the absence of proof that the tenants were served with the Notice of this Direct Request Proceeding I have determined that this application be dismissed with leave to reapply.

### Conclusion

Having found that the landlord has failed to prove service of the Notice of Direct Request Proceeding I have determined that this application be dismissed with leave to reapply.

Dated August 12, 2009.

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Dispute Resolution Officer