

DECISION

Dispute Codes

OPR, MNR, MNSD, FF

Introduction

This matter 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 filed the Application for Dispute Resolution and received the documents for service on October 16, 2009.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on September 28, 2009 the landlord served only one of the two tenants with the Notice of Direct Request Proceeding by registered mail.

Analysis

Section 59 of the Act requires that the person who makes an Application for Dispute Resolution must serve the other party within three days.

Furthermore, in the absence of proof that the both tenants were served with the Notice of this Direct Request Proceeding I have determined that this application be 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 09, 2009.

Dispute Resolution Officer