



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

### Dispute Codes

OPR, MNR, MNSD

### Introduction

This matter was conducted 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, a monetary order and an order to retain the security deposit in partial satisfaction of the claim.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on January 19, 2010 the landlord served the tenant with the Notice of Direct Request Proceeding via registered mail.

The landlord provided a copy of a Canada Post receipt and tracking number as evidence of service, however; the landlord did not fully complete the Canada Post receipt address. I am unable to determine what address was used for service to the tenant and cannot assume that the landlord used the address indicated on the Application for Dispute Resolution.

In the absence of proof of service to a specific address I find that the tenant has not been served with the Direct Request Proceeding documents.

### 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.

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: January 26, 2010.

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Dispute Resolution Officer