

## **DECISION**

Dispute Codes      OPR, MNR, MNSD, FF

### Introduction

This matter was conducted 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 due to unpaid rent.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on February 23, 2010 the landlord served the tenant with the Notice of Direct Request Proceeding via registered mail.

When using registered mail as the method of service the Proof of Service document requires the landlord to provide a "completed Canada Post Registered Mail Receipt..." The receipt attached is not completed with the address that the landlord sent the documents to.

Based on the written submissions of the landlord, I find that the landlord has failed to prove the tenant has been served with the Dispute Resolution Direct Request Proceeding documents.

### Conclusion

As the landlord has failed to prove service of the Notice of Direct Request Proceeding, I dismiss the landlord's Application 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: March 05, 2010.

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Dispute Resolution Officer