

## **DECISION**

Dispute Codes      OPR MNR

### 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 for unpaid rent and a Monetary Order for unpaid rent.

The Landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that the “Company” served the Tenant with the Notice of Direct Request Proceeding via registered mail. A Canada Post tracking number was written on the proof of service form and a copy of the Canada Post receipt dated June 9, 2010 was attached to the proof of service form. The proof of service form was signed with a signature that cannot be interpreted.

### Analysis

The Landlord submitted a copy of the proof of service of the Notice of Direct Request form which lists the Landlord’s company name after the word “I” and before the word served. The proof of service form is a declaration made by the person who conducted the service and that person is required to complete and sign the document. With the Company name listed as the person who conducted the service and the form being signed with a signature that cannot be interpreted, I cannot determine who conducted the service of documents to the Tenant.

Based on the foregoing, I find that a conference call hearing is required in order to determine the details of the Landlord’s claim. Notices of Reconvened Hearing are enclosed with this decision for the Applicant Landlord and are required to be served to the Respondent Tenant by the Landlord.

### Conclusion

I HEREBY FIND that a conference call hearing is required in order to determine the merits of this Application for Dispute Resolution. Notices of Reconvened Hearing are enclosed with this decision for the Landlord.

A copy of the Notice of Reconvened Hearing, this Interim Decision, the Application for Dispute Resolution, and any evidence that will be introduced at the hearing by the Landlord must be served upon Tenants, in accordance with section 88 of the *Act*, within **three (3) days** of receiving this decision.

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: June 14, 2010.

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Dispute Resolution Officer