



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes

OPR, & MNR

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.

On a Direct request application the landlord is required to submit the following evidentiary material:

- A copy of a residential tenancy agreement which was signed by the parties.
- A copy of a 10 Day Notice to End Tenancy for Unpaid Rent, which includes the direct request explanation.
- Proof of service of the 10 day Notice to End Tenancy as either a registered mail receipt or written receipt signed by the tenant or witnessed by a third-party confirming the notice was served.

And before the direct request proceeding can take place the landlord must also supply:

- A copy of the Proof of Service of the Notice of Direct Request Proceeding for each tenant;



Dispute Resolution Services

Page: 2

Residential Tenancy Branch
Ministry of Housing and Social Development

On this application the landlord has provided the first three items above; however the applicant has not provided a complete Proof of Service of the Notice of Direct Request Proceeding.

The Proof of Service of the Notice of Direct Request form supplied by the applicant does not show any date or time as to when the document was served, nor has the landlord supplied a registered mail receipt with the date on it.

Therefore since I have no idea when or if the Notice of Direct Request was served I am not willing to proceed with this matter.

Conclusion

This application is 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: September 07, 2010.

Dispute Resolution Officer