



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## 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 for unpaid rent.

The Landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on January 12, 2011 the Landlord served one of the Tenants in person with the Notice of Direct Request Proceeding. Sections 59 and 89 of the Act require an applicant to serve **all** other parties with their application for dispute resolution (and Notice of Direct Request Proceeding). As the Landlord has not provided proof that both Tenants named on its application were served with the Notice of Direct Request Proceeding, I find that the Landlord has not complied with s. 59 and s. 89 of the Act and as a result, its application is dismissed with leave to reapply.

### Conclusion

The Landlord's 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: January 20, 2011.

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Residential Tenancy Branch