



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

### Dispute Codes

OPR, MNR,

### Introduction

This hearing proceeded by way of Direct Request Proceeding, pursuant to section 74(2)(b) of the Act, and dealt with an Application for Dispute Resolution by the landlord for an Order of Possession and a monetary order.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on the landlord served each tenant with the Notice of Direct Request Proceeding via registered mail. The landlord provided a copy of the Canada Post registered mail receipt and tracking numbers, as evidence of service. However, the landlord did not fully complete the receipt or the proof of service document sections that indicate which address was used for service to the tenants. I cannot assume which address the landlord used for service of the documents.

As I am unable to determine the address used for service, I find that the tenants have not been served with Notice of this proceeding and that this Application is dismissed with leave to reapply.

### 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 11, 2011.

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Residential Tenancy Branch