



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 *Residential Tenancy Act* (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 March 12, 2011 the tenants were each served with the Notice of Direct Request Proceeding via registered mail.

The landlord submitted a Proof of Service document which directs the applicant to attach a completed Canada Post Registered Mail receipt; the landlord did not provide a copy of the mail receipt for either tenant. No information such as a tracking number or address used was supplied as evidence.

In the absence of proof of service to each tenant as required by section 89 of the Act, I find that the tenants have not been served with Notice of this Proceeding and that the application is dismissed with leave to reapply.

I note that the application does not include the dispute address upon which any Orders would be issued.

Conclusion

The 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: March 23, 2011.

Residential Tenancy Branch