



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 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;

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

for both of the tenants listed on the application for dispute resolution. The landlord served the documents on the one respondent only.

Therefore since the landlord is required to serve the Notice of Direct Request Proceedings on each tenant I'm 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: March 31, 2011.

Residential Tenancy Branch