



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DIRECT REQUEST DECISION

Dispute Codes

OPR, MNR

Introduction

This hearing proceeded 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.

Evidence indicates that the landlord received the Direct Request Proceeding package on February 16, 2011 and submitted signed Proof of Service of the Notice of Direct Request Proceeding declaring that the landlord served each tenant with the Notice of Direct Request Proceeding by registered mail on February 19, 2011. The landlord has included the registered mail tracking slips which documented the names of the parties served. I note that there is not any address shown on either of the registered mail tracking receipts. Section 89(1) of the Act imposes specific requirements for where and how the applicant must serve a respondent with a Notice of Hearing. For that reason the address must be verified and documentation relied upon must be complete in order to establish service to the specific person and address identified. I find that the landlord has not met the requisite burden of proof regarding the service of this application.

Having found that the landlord has failed to meet the proof of service requirement by showing the full name and the complete address where the mail had been sent, I have determined that this application must 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: March 2011.

Residential Tenancy Branch