



# 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 31, 2011, the landlord served the tenants with the Notice of Direct Request Proceeding via personal delivery at 10:09 a.m.

The landlord provided a copy of one Proof of Service document which indicated that the 2 tenants had been served. The landlord did not provide a Proof of Service document for each tenant; therefore, I am unable to determine if 1 tenant was served or if both of the tenants were served at the same time.

As I cannot assume that each tenant was served, I find; in the absence of a Proof of Service document indicating the details of service to each respondent, that service to each respondent is not proven and that the application is dismissed with leave to reapply.

### 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: April 12, 2011.

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Residential Tenancy Branch