



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

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 for unpaid rent.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding and provided a registered mail receipt. The Proof of Service document and the registered mail receipt do not indicate the address at which the tenant was served.

The Act provides that a landlord may serve a tenant with an application by registered mail sent to the tenant's address of residence or forwarding address. An applicant must provide sufficient proof of service and when service is by registered mail the proof should include: the registered mail receipt, the date of mailing, and the address used for mailing.

Based upon the evidence before me, I am unable to determine where the registered mail was sent and whether the tenant was sufficiently served with the hearing documents. Therefore, the landlord's 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: June 10, 2011.

Residential Tenancy Branch