



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

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. The Proof of Service document declares that on May 23, 2011 at 5:00 p.m., the Landlord's agent served the Notice of Direct Request Proceeding on the **Tenants** by leaving the documents "with the **Tenant** at [the rental unit]". The Landlord's agent did not indicate which Tenant he left the documents with.

The Landlord also provided a Proof of Service Document dated May 9, 2011, which states that the Notice of Direct Request was served on the Tenant JL by posting the documents on the Tenants' door on May 6, 2011. The Notice of Direct Request documents were not ready for pickup until May 20, 2011.

The Landlord has not provided sufficient evidence that either Tenant was served with the Notice of Hearing documents and therefore the Landlord's application is dismissed with leave to reapply.

Conclusion

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: May 31, 2011.

Residential Tenancy Branch