



# Dispute Resolution Services

Page: 1

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.

The Landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding on the Tenant. The Proof of Service document declares that on July 29, 2011 at 2:46 p.m., the Landlord's agent served the Notice of Direct Request Proceeding on the Tenant by couriering the documents to the rental unit. The Landlord provided a copy of the waybill and printout. Based on the written submissions of the Landlord, I find that the Landlord has provided insufficient evidence that the Tenant was served with the Direct Request Proceeding documents. There is no indication on the printout that the Tenant received the couriered documents. The printout indicates "customer not available or business closed". Furthermore, **service by way of courier is not an allowable method of service as provided in Section 89 of the Act.**

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: August 12, 2011.

---

Residential Tenancy Branch