



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR MNR

This hearing proceeded by way of Direct Request Proceeding, pursuant to sections 55(4) and 74(2) of the *Residential Tenancy Act (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 in which an agent for the Landlord declared that on October 19, 2011 the agent for Landlord personally served a person with the same surname as the Respondent but with a different first name.

Based on the written submissions of the Landlord, I find that I am unable to conclude that the Respondent was served with the Dispute Resolution Direct Request Proceeding documents.

As the Landlord has failed to establish that the Respondent was served with notice of this Direct Request Proceeding, I dismiss the Landlord's Application for Dispute resolution, 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: October 24, 2011.

---

Residential Tenancy Branch