



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 October 12, 2011, at 3:00 p.m., the Landlord's agent served the Notice of Direct Request Proceeding on the Tenant by handing the document to the Tenant at the rental unit. . Based on the written submissions of the Landlord, I find that the Tenant was served with the Direct Request Proceeding documents pursuant to the provisions of Section 89(1)(a) of the Act.

Preliminary Matter

It is important to note that the Notice to End Tenancy is not dated, contrary to the provisions of Section 52(a) of the Act. In a Direct Request Proceeding a decision is made based on documentary evidence only. There is no ability to ask questions of the landlord or the tenant. I find that a participatory hearing is required in order to ascertain whether or not the Notice may be amended under the provisions of Section 68 of the Act.

I Order that this hearing be adjourned to be held by telephone conference call and it be scheduled for the date and time shown in the enclosed Notice of Hearing.

The Landlord must serve the Tenant with a copy of the enclosed Notice of Hearing within **three (3) days** of receiving this Decision.

Conclusion

This matter is adjourned to a participatory hearing, to be held by telephone conference call on the date and time indicated on the enclosed Notice of Hearing. The Landlord must serve the Tenant with a copy of the enclosed Notice of Hearing within **three (3) days** of receiving this Decision.

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 20, 2011.

Residential Tenancy Branch