



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes

OPR

### 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.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on November 22, 2011, the landlord served the tenants with the Notice of Direct Request Proceeding via registered mail.

The landlord provided a Proof of service document that does not declare the service address used. A Canada Post receipt supplied as evidence did not provide the service address used for service.

The landlord has supplied one Canada Post receipt and tracking number which indicates that each tenant may have been served with Notice of this proceeding in one package. In the absence of any evidence as to which of the tenants may have accepted the mail and the service address used, I am unable to determine that service has been completed.

Therefore, I find that the landlord has failed to prove service.

Therefore, the 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: November 28, 2011.

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Residential Tenancy Branch