



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DIRECT REQUEST DECISION**

Dispute Codes OPR, MNR

### Introduction

This hearing proceeded by way of Direct Request Proceeding, pursuant to section 55(4) of the Act, and dealt with an Application for Dispute Resolution by the landlord for an Order of Possession and a monetary order.

Evidence indicates that the landlord received the Direct Request Proceeding package and submitted signed Proof of Service of the Notice of Direct Request Proceeding declaring that the landlord served the tenants with the Notice of Direct Request Proceeding by registered mail sent on December 19, 2011.

The landlord included the registered mail tracking slip which documented the names of the parties served. I note that there is not any address shown on registered mail tracking receipt and also that the name of both co-tenants was on a single tracking slip.

Section 89(1) of the Act imposes specific requirements for where and how the applicant must serve a respondent with a Notice of Hearing. For that reason the address must be verified and documentation relied upon must be complete in order to establish service to the specific person and address identified. I find that the landlord has not met the requisite burden of proof regarding the service of this application because the service address is not shown on the tracking slip. In addition the Act requires that each party must be served and I find that a single registered mail package sent to both would not be compliant with the Act.

Having found that the landlord has failed to meet the proof of service requirement by showing the full name and the complete address where the mail had been sent, I have determined that this application must be 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: December 23, 2011.

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Residential Tenancy Branch