



# Dispute Resolution Services

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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 which declares that on December 2, 2011, the landlord served each tenant with the Notice of Direct Request Proceeding via registered mail. The landlord provided a Canada Post receipt and tracking number as evidence of service to the female tenant; the receipt submitted as evidence did not include an address; only the name of the tenant.

Neither proof of service document included a service address.

I cannot assume the address used by the landlord for service of Notice of the proceeding. A receipt for registered mail to the male tenant was not provided.

Therefore, in the absence of evidence that each tenant was served and which address was used for service; I find that the application is dismissed with leave to reapply.

The application indicated that the tenants are no longer residing in the unit; no information was provided as to when the tenants vacated or what the tenant's service address may be.

### Conclusion

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: January 03, 2012.

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Residential Tenancy Branch