



# 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 Act, and dealt with an Application for Dispute Resolution by the Landlord for an Order of Possession and a Monetary Order for unpaid rent.

The Landlord received the Direct Request Proceeding documents on December 29, 2011. Section 59(3) of the Act says that “a person who makes an application for dispute resolution must give a copy of the application to the other party within 3 days of making it.” The Landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on January 4, 2011 the Landlord served only one of two Tenants named on the Application (namely J.G.) in person with the Notice of Direct Request Proceeding documents. The Landlord also provided a copy of an incomplete tenancy agreement (which contains only 5 of 6 pages) and an addendum which was signed only by the other Tenant, (namely C.G.).

In the circumstances, I find that the Landlord has not served the Direct Request Proceeding documents within the time limit required under s. 59(3) of the Act and has provided no proof of service of those documents on the Tenant, C.G. Consequently, the Landlord’s application in this matter is dismissed with leave to reapply.

### Conclusion

The Landlord’s 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 05, 2012.

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Residential Tenancy Branch