



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR, MNR

### Introduction

This matter proceeded 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 landlords for an Order of Possession based on unpaid rent and a monetary Order.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on October 21, 2012:

*I, S Homes Ltd. served (the tenant's address) with the Notice of Direct Request Proceeding requesting an Order of Possession /Monetary Order in the following manner on: October 21, 2012 at 7:38 p.m...*

Based on the written submissions of the landlord, I find that the landlord has not identified who served the document and to whom the Notice of Direct Request Proceeding was served. In the Proof of Service document, the landlord did not name the tenant. Rather, he named the address of the tenant. This is not sufficient to demonstrate that the tenant has been duly served with the Direct Request Proceeding documents which include the landlord's application for dispute resolution.

As I am not satisfied that the landlord has met the service requirements of the Notice of Direct Request Proceeding and the application for dispute resolution, I dismiss the landlord's application 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: October 26, 2012

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Residential Tenancy Branch