



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR

Introduction and Analysis

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 landlord for an order of possession and a monetary order for unpaid rent.

The landlord submitted a signed proof of service of the notice of direct request proceeding which declares that on November 20, 2012 the landlord served the tenants with the notice of direct request proceeding via posting to the tenant’s door and with the tenants. It is important to note that the street address provided by the landlord on the proof of service of the notice of direct request proceeding was abbreviated and did not match the street address as indicated on the tenancy agreement.

Based on the written submissions of the landlord, I am unable to determine if the tenants were duly served with the direct request proceeding documents due to the address being abbreviated on the proof of service document.

In addition, the 10 Day Notice to End Tenancy submitted by the landlord also contained an abbreviated street address which does not match the tenancy agreement submitted as evidence. The application for dispute resolution also contains the abbreviated street address of the rental unit.

Given the above, **I find** the 10 Day Notice to End Tenancy is invalid as the landlord failed to include the full and complete address of the rental unit. **I find** that the proof of service of a direct request proceeding was abbreviated by the landlord and did not match the street address of the rental unit. Therefore, **I dismiss** the landlord’s application in full without leave to reapply.

Conclusion

Applications for direct request proceedings are made through the written submissions of the landlord. In the matter before me, the landlord failed to include the complete street address for the rental unit by abbreviating it on the 10 Day Notice, on the proof of service of a direct request proceeding and on the application for dispute resolution. Therefore, I dismiss the landlord's application in full without leave to reapply.

The landlord is at liberty to issue a new 10 Day Notice to End Tenancy.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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 26, 2012

Residential Tenancy Branch