



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR

This matter was conducted by way of Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (the Act). The landlord applied for an order of possession and a monetary order for unpaid rent.

The landlord submitted a Proof of Service of the Notice of Direct Request Proceeding which indicated that two tenants were served notice of the proceeding by registered mail. The landlord provided one receipt and one tracking number. The landlord did not provide any further evidence to indicate whether only one package was sent, and if so, to whom.

I find that the landlord failed to provide sufficient evidence that both tenants were separately served with notice of the direct request proceeding. I therefore 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: December 7, 2012.

Residential Tenancy Branch