



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Skyline Apartments  
and [tenant name suppressed to protect privacy]

## **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 due to unpaid rent.

### Decision & Reasons

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on March 3, 2013 the landlord served the tenant with the Notice of Direct Request Proceeding by hand, however that is not possible as the application for a Direct Request Proceeding was not filed until March 20, 2013 and the Notice of Direct Request Proceeding is dated March 20, 2013 as well

Based on the written submissions of the landlord, I find that the landlord has not shown that the tenant has been served with the Notice of Direct Request Proceeding.

Conclusion

Having found that the landlord has failed to prove service of the Notice of Direct Request Proceeding I order that this application be 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: March 20, 2013

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Residential Tenancy Branch

