



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Realty Executives Vantage  
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 *Residential Tenancy Act* (the "Act"), and dealt with an Application for Dispute Resolution for an Order of Possession and a Monetary Order.

### Preliminary Matters

The Applicants submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on February 23, 2013, at 1:45 p.m., the Applicants' agent served the Tenant with the Notice of Direct Request Proceeding by registered mail to the Tenant. The Applicants provided a copy of the registered mail receipt and tracking numbers in evidence, however the Applicants did not indicate on the Proof of Service document to which address the registered mail was sent. Therefore, I cannot find that the Tenant was served with the Notice of Direct Request Proceeding in accordance with the service provisions of the Act.

The Applicants provided a copy of a tenancy agreement between the Tenant and a different landlord. The Applicants' address on the Application for Dispute Resolution is different from the landlord's address which is identified on the tenancy agreement. The tenancy agreement provided in evidence is absent the last page and therefore it cannot be determined whether or not the parties signed the agreement, or on what date. Therefore, I find that the Applicants have not provided sufficient evidence that they are the Tenant's "landlords" as defined by the Act.

For the reasons stated above, I dismiss the Applicants' application **with leave to re-apply**.

### Conclusion

The Applicants' Application for Dispute Resolution is **dismissed with leave to re-apply**.

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: April 08, 2013

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Residential Tenancy Branch