



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding NPR LIMITED PARTNERSHIP
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 by the landlord for an Order of Possession and a Monetary Order for unpaid rent.

The landlord submitted two Proof of Service of the Notice of Direct Request Proceeding, each with a registered mail receipt attached. One of the documents indicated that the registered mail was sent to both named tenants using one registered mail package. The other document indicates the registered mail was addressed to the Residential Tenancy Branch at the rental unit.

Section 89 of the Act provides for the acceptable methods of serving hearing documents. Serving an Application for Dispute Resolution puts the other party on notice of the action being taken against them and each respondent is entitled to receive a copy of Application for Dispute Resolution. Where two respondents are named on one registered mail package it becomes unclear as to which tenant was served.

Ultimately, it is upon the applicant to provide sufficiently clear evidence to establish that service occurred in a manner that complies with the Act. Based upon the evidence presented to me I find it unclear as to whether either tenant was sufficiently served. Therefore, I dismiss this 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: April 03, 2013

Residential Tenancy Branch