



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## 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.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on April 12, 2013 the landlord served each tenant with the Notice of Direct Request Proceeding via registered mail.

The landlord provided a Canada Post receipt and tracking number as evidence of service to each tenant. The receipts were completed with the tenant's name, the town and postal code. Neither of the receipt or the Proof of Service of the Notice of Direct Request Proceeding included the specific street address that was used for service. The application for dispute resolution did include a street address.

The Act requires service to the address where the tenants reside. I am unable to assume which street address the landlord has used for service purposes and, as the information provided on the receipt was not fully completed, I find that service has not been proven. Further, there was no evidence before me that the mailing address was different from that included on the Application.

Therefore, I find that the application is dismissed with leave to reapply.

### Conclusion

As service has not been proven, the application is 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: April 15, 2013

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Residential Tenancy Branch