



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Homelife Glenayre Realty Chilliwack Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNR

### Introduction

This matter proceeded 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 a signed Proof of Service of the Notice of Direct Request Proceeding; it declared that on April 18, 2013 the landlord served the tenant with the Notice of Direct Request Proceeding by registered mail sent to the address of the rental unit. In the landlord’s application for dispute resolution the landlord said that the tenant has left the country and the landlord has no way of contacting him to find out when or if he is coming back.

Section 88 and 89 of the *Residential Tenancy Act* set out the means by which a tenant may be served with an application for dispute resolution. The Act provides that a tenant may be served by sending a copy of the document by registered mail to the address at which the person resides. Based on the information contained in the application, the tenant no longer resides at the rental unit and therefore he has not been validly served with the application and Notice of Direct Request Proceeding.

### Conclusion

Because of my finding that the tenant has not been served with the application for dispute resolution this application is dismissed with leave to reapply. If the landlord wishes to proceed with another application it may seek advice concerning an initial application for substituted service on the tenant.

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 29, 2013

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Residential Tenancy Branch

