



Dispute Resolution Services

Page: 1

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 for each of the Tenants which declare that on July 24, 2013, at 4:07 p.m., the Landlord served the Tenants with the Notice of Direct Request Proceeding by registered mail. The Landlord provided a copy of the registered mail receipt and tracking numbers in evidence.

Preliminary Matter

Section 89(c) of the Act allows service by way of registered mail to the address at which the person resides. The Proof of Service documents attach the registered mail receipts, but neither of the Proof of Service documents discloses to what address the Direct Request Proceeding documents were mailed.

A Direct Request Proceeding is an expedited procedure where decisions are based on written documentation only. Therefore, applications must be complete because the arbitrator has no capability of asking questions.

I find that the Landlord did not provide sufficient information to prove service of the Notice of Direct Request Proceeding upon the Tenants and therefore I dismiss his application with leave to re-apply.

Conclusion

The Landlord's Application 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: July 29, 2013

Residential Tenancy Branch