



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Royal LePage Property Management
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 December 19, 2013, the landlord served the tenant with the Notice of Direct Request Proceeding by registered mail. The landlord did not provide any documentary evidence, such as a Canada Post Registered Mail Receipt or tracking information to show that the tenant was served by registered mail as stated.

Analysis and conclusion

The Residential Tenancy Policy Guideline with respect to Direct Requests provides that the landlord must provide proof of service of the Notice of Direct Request Package and this should include a registered mail receipt or tracking form when service has been effected by registered mail. In the absence of proof that the tenant was served with the Notice of Direct Request package, this application for dispute resolution 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: December 31, 2013

Residential Tenancy Branch

