



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **INTERIM 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.

### **Preliminary Matter**

The Landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding for the Tenant. The Proof of Service documents indicate that the Landlord sent the Notice of Direct Request Proceeding to the Tenant by registered mail; however, he did not indicate where the documents were sent.

The Landlord's Application for Dispute Resolution indicates that the Landlord is seeking a monetary order, but the Landlord has not filled in the box indicating the amount sought.

The Landlord provided a Proof of Service document with respect to service of the Notice to End Tenancy; however, the Landlord did not complete the form. The witness portion is not signed, nor did the Landlord date and sign the Proof of Service document.

The Direct Request proceeding is a limited expedited procedure where a decision is made based on documentation provided by a landlord. There is no participatory Hearing where questions can be asked and answered.

I cannot make findings with respect to where the Tenant was served with the Notice of Direct Request Proceeding. The Application is not clear with respect to the monetary award the Landlord is seeking. The Proof of Service document is incomplete. Therefore I adjourn this matter to a participatory Hearing so that questions can be asked and answered with respect to service of documents and the outstanding rent.

Two copies of a Notice of Reconvened Hearing accompany this Interim Decision. The Landlord must serve the Tenant with a copy of the Notice of Reconvened Hearing in

accordance with the provisions of Section 89 (2) of the Act within 3 days of receipt of this Interim Decision.

**Conclusion**

This matter is adjourned to a participatory Hearing, to the date and time noted on the enclosed Notice of Reconvened Hearing. **The Landlord must serve the Tenant with the Notice of Reconvened Hearing in accordance with the provisions of Section 89 (2) of the Act within 3 days of receipt of this Interim Decision.**

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 12, 2013

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Residential Tenancy Branch

