



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MAINSTREET EQUITY CORP.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR

Introduction

This matter was conducted by way of a Direct Request Proceeding, pursuant to Section 55(4) of the *Residential Tenancy Act* (the “Act”) in response to an application made by the landlord for an Order of Possession and a Monetary Order for unpaid rent.

Analysis

The Direct Request process is a mechanism that allows the landlord to apply for an expedited decision without a participatory hearing. As a result, the landlord must follow and submit documentation **exactly** as the Act prescribes and there can be no omissions or deficiencies within the written submissions that are left open to interpretation or inference.

Whilst the landlord has submitted all of the required documents required for the Direct Request process, there exists a deficiency with the landlord’s application that does not allow me to proceed with the Direct Request Proceeding.

The signed tenancy agreement between the landlord and tenant details the address of the rental suite with the apartment number showing as ‘120 B’. However, the remaining documents, namely the application for dispute resolution, the proof of service documents including the Canada Post tracking receipt, and the notice to end tenancy show the same address but with the apartment/unit number as ‘120’ without the ‘B’.

Conclusion

As there is insufficient evidence to establish the exact address this tenancy relates to and whether the landlord has served the relevant documentation to the correct address and whether the address on the notice to end tenancy is correct, **I dismiss** the landlord’s application **without leave to reapply**.

The landlord is at liberty to issue a new valid 10 Day Notice to End Tenancy for Unpaid Rent or Utilities stating the correct and complete address. If the tenant does not respond to the new valid notice, the landlord could submit a new application through the Direct Request or conventional dispute resolution process which includes a participatory hearing.

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: January 29, 2014

Residential Tenancy Branch

