



Dispute Resolution Services

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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 which declares that on February 19, 2014 the landlord served the tenant with the Notice of Direct Request Proceeding via registered mail. The landlord provided a Canada Post receipt and tracking number as evidence of service. The receipt and proof of service documents supplied as evidence did not indicate the address that was used for service.

I cannot make inferences and assumptions when considering an application for dispute resolution. When applying via the Direct Request Proceeding process the submissions must be consistent and the documentary evidence must be clear. I am unable to assume which address the landlord used for service. Therefore, I find that the landlord has failed to prove service of the Notice of Direct Request Proceeding and that the application is dismissed with leave to reapply.

I note that the 10 day Notice ending tenancy does not include a service address for the landlord.

Conclusion

This Direct Request Proceeding 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: March 05, 2014

Residential Tenancy Branch