



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding PHAM & DOAN HOLDINGS LTD  
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 landlords for an order of possession and a monetary order for unpaid rent.

The landlords submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on March 3, 2014, the landlord served the respondent (CJ) with the Notice of Direct Request Proceeding via registered mail. The Canada post tracking customer receipt was provided as evidence.

### Preliminary Issue

The Direct Request process is a mechanism that allows the landlord to apply for an expedited decision, with that the landlord must follow and submit documentation exactly as the *Act* prescribes; there can be no omissions or deficiencies with items being left open to interpretation or inference.

In this case, there is a discrepancy in the documents submitted by the landlord. The tenant's name in the signed tenancy agreement is (RCJ) and does not match the name, in the application or in landlord's documentary evidence and because of that discrepancy I am unable to determine if this respondent (CJ) is the tenant (RCJ).

Under these circumstances, I dismiss the landlord's application 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 14, 2014

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Residential Tenancy Branch