



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DIVERSIFIED PROPERTIES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

OPR, MNR

Introduction

The landlord applied for an Order of Possession and a Monetary Order for unpaid rent under the Direct Request Procedure, pursuant to section 55(4) of the *Residential Tenancy Act* (the "Act").

Under the Direct Request Procedure, the landlord must be able to prove the tenant was served with a Notice of Direct Request Proceeding in a manner that complies with the Act. The purpose of serving this document is to notify the tenant(s) of the action being taken against them. Proving a tenant was served with the Notice of Direct Request Proceeding is established by way of the landlord completing a Proof of Service of Direct Request Proceeding. If service was by registered mail, the landlord must provide the registered mail receipt identifying the person to whom it was sent and the address used for service.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on April 23, 2014 the landlord served the tenant with the Notice of Direct Request Proceeding via registered mail. The landlord provided a copy of a registered mail receipt; however, the receipt did not indicate the name of the addressee or the address used for service.

As the Direct Request procedure is based upon written submission of the landlord only, the submission must be sufficiently complete and valid in order to succeed. Based upon the evidence presented to me, I find the landlord did not provide sufficient particulars in order for me to determine the tenant was served with the Notice of Direct Request Proceeding without making an assumption as to missing information.

Based on the foregoing, I do not proceed with the Application before me and I dismiss it 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: May 08, 2014

Residential Tenancy Branch

