



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding OPUS PROPERTY MANAGEMENT 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 against the tenants under the Direct Request Procedure, pursuant to section 55(4) of the *Residential Tenancy Act* (the "Act").

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding for each tenant, declaring that on May 2, 2014 the landlord sent the Notice of Direct Request Proceeding to each tenant at the rental unit address.

Where a landlord serves a tenant by registered mail, the address used for service must be the tenant's residence at the time of mailing or the tenant's forwarding address.

In the details of dispute submitted May 1, 2014 the landlord states that it appears the rental unit has been abandoned. The landlord had also included copies of multiple Notices to End Tenancy, including: a 1 Month Notice to End Tenancy for Cause with a stated effective date of April 14, 2014.

If the rental unit has been abandoned, sending registered mail to the tenants at the rental unit address does not meet service requirements. However, if the rental unit has in fact been abandoned, possession of the rental unit reverts to the landlord upon abandonment and the landlord does not require an Order of Possession.

In light of the above, I find I am unsatisfied the tenants have been sufficiently served with notification of this proceeding and I dismiss the Application for Dispute Resolution 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 09, 2014

Residential Tenancy Branch

