



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 116 WEST HASTINGS HOLDINGS LTD
and [tenant name suppressed to protect privacy]

DIRECT REQUEST DECISION

Dispute Codes

OPR, MNR

Introduction

This hearing proceeded by way of Direct Request Proceeding, pursuant to section 55(4) of the Act, and dealt with an Application for Dispute Resolution by the landlord for an Order of Possession and a monetary order.

Evidence verifies that the landlord made an application for a Direct Request Proceeding on June 27, 2014. The landlord submitted signed a Proof of Service of the Notice of Direct Request declaring that the landlord served the tenant with the Notice by registered mail sent on July 4, 2014. The landlord included the registered mail tracking slip which documented the name of the party served. However, I find that there is no address shown on the registered mail tracking stub. The landlord also failed to include a copy of the receipt from Canada Post.

Section 89(1) of the Act imposes specific requirements with respect to how the applicant must serve a respondent with a Notice of Hearing. For that reason, I find that, the address must be verified and all of the documentation relied upon must be complete, in order to establish that there was service to the specific person at the address identified. Because of the missing address on the Canada Post tracking slip, I find that the landlord has not met the requisite burden of proof regarding the service of this application.

Having found that the landlord has failed to meet the proof of service requirement by showing the full name and the complete address where the mail had been sent, I find that this application cannot proceed and must be dismissed. Accordingly I hereby dismiss this 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: July 15, 2014

Residential Tenancy Branch

