



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Gateway Property Management Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR

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 landlord for an Order of Possession and a monetary order for unpaid rent.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on July 19, 2014, the landlord served the tenant with the Notice of Direct Request Proceeding via registered mail service.

Section 90 of the Act determines that a document served in this manner is deemed to have been served five days later.

Based on the written submissions of the landlord, I find that the tenant has not been duly served with the Direct Request Proceeding documents. The landlord's proof of service of the Notice of Direct Request Proceeding has not been proven as the applicant did not submit a copy of the Canada Post Registered Mail Customer Receipt Tracking number.

As the applicant has failed to provide proof of service that the tenant was served with the Notice of Direct Request Proceedings, I am not satisfied that the tenant was properly served. As such, the landlord's application 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: July 30, 2014

Residential Tenancy Branch

