



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

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”).

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on August 9, 2014 the landlord’s agent served the tenant with the Notice of Direct Request Proceeding via personal delivery; however, the Proof of Service does not indicate that the supporting documentation was served upon the tenant, as required.

To succeed under the Direct Request Procedure the landlord must serve the tenant with the Notice of Direct Request Proceeding that is provided to the landlord by the Residential Tenancy Branch **AND** a copy of **all supporting documents** that were given to the Residential Tenancy Branch within 3 days of making the Application for Direct Request. This requirement is outlined, in bold, in the Fact Sheet RTB-130 which is provided to landlords filing an Application for Direct Request (see page 2 of the Fact Sheet under the heading Direct Request Procedure).

Since the failed to establish that the tenant was served with all of the required documentation and I decline to consider this Application further. 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: August 15, 2014

Residential Tenancy Branch

