



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR MNR

### Introduction

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 landlords for an order of possession for unpaid rent and a monetary order for unpaid rent.

In addition to other documentary evidence, the landlords submitted a Proof of Service document for the Direct Request where the landlords failed to check if the Notice of Direct Request Proceeding and copy of all supporting documents were served on the tenant. In addition, the Monetary Order Worksheet for the Direct Request indicates that rent due August 1, 2014 was \$760.00 and that \$200.00 was the portion of rent paid and that the amount owing is \$760.00, which is contradictory.

### Preliminary Issue

The Direct Request process is a mechanism that allows the landlords to apply for an expedited decision, with that the landlords must follow and submit documentation exactly as the *Act* prescribes; there can be no omissions or deficiencies with items being left open to interpretation or inference. In addition, documents should not be contradictory.

In the matter before me, the landlords submitted a Proof of Service document for the Direct Request where the landlords failed to check if the Notice of Direct Request Proceeding and copy of all supporting documents were served on the tenant. As a result, I am not satisfied that the tenant was served with either the Notice of Direct Request Proceeding or a copy of all supporting documents. Furthermore, the Monetary Order Worksheet for the Direct Request submitted in evidence by the landlords is contradictory as it indicates that rent due August 1, 2014 was \$760.00 and that \$200.00 was the portion of rent paid and that the amount owing is \$760.00.

Under these circumstances, I **dismiss** the landlord's application **with leave to reapply due to a service issue as noted above**. The landlord should not apply for a direct request proceeding unless all documents are completed in full and are not left open to interpretation or inference, and are not contradictory.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: September 9, 2014

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Residential Tenancy Branch

