



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LIVING OPTIONS REALTY
and [tenant name suppressed to protect privacy]

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

In addition to other documentary evidence, the landlord provided documentary evidence which indicates a rental unit address as a “B” rental unit address, whereas all other documentary evidence submitted indicates the rental unit address as a “A” rental unit, which does not match the “B” rental unit address on the written tenancy agreement.

Preliminary Issue, Analysis and Conclusion

The Direct Request process is a mechanism that allows the landlord to apply for an expedited decision, with that the landlord 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 the matter before me, the landlord provided documentary evidence which indicates a rental unit address as a “B” rental unit address, whereas all other documentary evidence submitted indicates the rental unit address as a “A” rental unit, which does not match the “B” rental unit address on the written tenancy agreement.

Under these circumstances, I **dismiss** the landlord’s application **with leave to reapply**. The landlord should not apply for a direct request proceeding unless all documents are completed in full and there are no documents which can be open to interpretation or inference or are contradictory. Therefore, the landlord may wish to submit a new application through the normal dispute resolution process which includes a

participatory hearing as this application, as submitted, is not suitable for the direct request process.

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 22, 2014

Residential Tenancy Branch

