



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **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 indicates that the landlord made the application and received the Direct Request Proceeding package on August 21, 2014. The landlord submitted signed Proof of Service of the Notice of Direct Request Proceeding declaring that the landlord served the tenant with the Notice of Direct Request Proceeding in person.

However, under the *METHOD OF SERVICE* section of the form, the landlord placed a checkmark to indicate that they served by:

*"Hand delivering a copy to:"* \_\_\_\_\_

I find that, in the space under which the form states,

*"(Please print name of person receiving the documents)"*,

the landlord left the line blank. Therefore I find that the landlord failed to complete a crucial portion of the "Proof of Service" form.

Section 89(1) of the Act imposes specific requirements for where and how the applicant must serve a respondent with a Notice of Hearing. For that reason the address must be verified and documentation relied upon must be complete in order to establish service to the specific person and address identified. 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 not properly completing all sections of the "*Proof of Service*" form, I have determined that this application must be 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: September 05, 2014

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Residential Tenancy Branch

