



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes

OPR MNR

### Introduction

This matter was conducted by way of Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (the Act). The landlord applied for an order of possession and a monetary order for unpaid rent.

### Preliminary Issue – Service of Notice of the Direct Request Proceeding

The landlord submitted one Proof of Service of the Notice of Direct Request Proceeding form, which indicates that the landlord served both tenants with notice of the direct request proceeding by posting the notice. The landlord did not indicate where the documents were posted. The landlord applied for an order of possession and a monetary order.

As indicated on the Proof of Service of the Notice of Direct Request Proceeding form, the landlord must serve each respondent separately, and complete a separate form for each document. The form also indicates, as set out in section 90 of the Act, that when seeking a monetary order, posting the notice is not permitted. Finally, the landlord did not include a description of the place where the notice was posted or attached.

I therefore find that I cannot determine whether the tenants were properly served with notice of the direct request proceeding.

### Conclusion

The 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: October 17, 2014

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Residential Tenancy Branch

