



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR

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 pursuant to a notice to end tenancy for unpaid rent.

Preliminary Issue – Service of the Notice to End Tenancy

The landlord submitted a copy of a Proof of Service of 10 Day Notice to End Tenancy for Unpaid Rent, which indicates that the notice to end tenancy was served on a person other than the tenant. The landlord has not indicated whether that person was an adult who apparently resides with the tenant. I therefore cannot be satisfied that the tenant was served the notice to end tenancy in accordance with the Act.

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 15, 2014

Residential Tenancy Branch

