



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

OPR – DR OPUM – DR

Introduction

This application has been made via the Direct Request Proceeding; an ex parte process pursuant to section 55(4) of the *Residential Tenancy Act* (the *Act*.)

The landlord has applied requesting an order of possession and monetary order based on unpaid rent.

The landlord submitted a proof of service document which declares that the landlord served the tenant notice of the direct request proceeding by registered mail. The proof of service document requires that the applicant attach a completed Canada Post registered mail receipt, including the tracking number. A search of documents supplied as evidence reveals no such evidence of service. Further, the proof of service document does not include the date of service or the name of the person served.

In the absence of the date of service and copies of the Canada Post registered mail receipt and tracking number I find that the service of the Direct Request Proceeding documents cannot be established.

Therefore, I find that the application is dismissed with leave to reapply.

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 16, 2019

Residential Tenancy Branch