Dispute Resolution Services

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 has named three (3) tenant respondents.

The landlord submitted a proof of service document which declares that on September 25, 2019 at 4:40 p.m. the landlord served all respondents notice of the direct request proceeding by attaching a single copy of the proceeding documents to the door. The proof of service document names the three (3) tenant respondents. The landlord has submitted a single proof of service document. There is no evidence before me that each tenant respondent has been served individually. The proof of service document issued by the *Residential Tenancy Branch* indicates that a proof of service must be completed for each respondent, as each respondent must be provided with a complete package of proceeding documents.

I am unable to determine which tenant respondent may have received the direct request proceeding documents. Therefore, in the absence of proof of service to each of the three (3) respondents 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 09, 2019

_____
Residential Tenancy Branch