# Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

## DIRECT REQUEST DECISION

Dispute Codes  OPR, MNR

Introduction

The 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 for rental arrears.

Evidence indicates that the landlord received the Direct Request Proceeding package on April 14, 2011 and submitted signed Proof of Service of the Notice of Direct Request Proceeding declaring that the landlord served each tenant with the Notice of Direct Request Proceeding by registered mail on April 14, 2011.   The landlord has included the registered mail tracking slips which documented the names of the parties served.  I note that there is not any address shown on either of the registered mail tracking receipts.  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 showing the  name and the complete address where the mail had been sent, 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*.

Conclusion

I hereby dismiss the landlord's application without leave to reapply

April 20, 2011                                            _____

Date of Decision

                                                          Residential Tenancy Branch