



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ROYAL LEPAGE PARKSVILLE-QUALICUM BEACH  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNR

### Introduction

This matter proceeded by way of direct request proceeding, pursuant to section 55(4) of the *Residential Tenancy Act (Act)*, and dealt with an Application for Dispute Resolution by the landlord for an order of possession and a monetary order for unpaid rent.

### Preliminary issue

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on September 25, 2013, the landlord served the tenant with the Notice of Direct Request Proceeding by registered mail. However, the register mail customer receipt provided as evidence is not fully complete as the service address for the tenant has not been completed by the landlord.

The Direct Request process is a mechanism that allows the landlord to apply for an expedited decision, with that the landlord must follow and submit documentation exactly as the *Act* prescribes; there can be no omissions or deficiencies with items being left open to interpretation or inference as is the case before me.

Under these circumstances, I am unable to determine if the Notice of Direct Request was sent to the address of where the tenant resides as required by section 89 of the *Act*. Therefore, I am not satisfied that the tenant has been properly served with the Notice of Direct Request Proceedings. I dismiss the landlord's application 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 04, 2013

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Residential Tenancy Branch

