



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

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* (the “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 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.

In this case, the landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding. However, the proof of service is deficient as it does not state the date the notices were served and it does not have the Canada Post Registered Mail Receipt attached, which would indicate the address where the documents were mailed as a result, I am unable to determine where the landlord mailed the documents.

The only evidence the landlord has submitted is a cash register receipt.

Therefore, I find that the landlord has provided insufficient evidence to support that the tenants were served in accordance with the *Act* in order for the Direct Request Proceeding to proceed. The landlord's application is dismissed with leave to reapply.

Conclusion

The landlord's 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: March 04, 2014

Residential Tenancy Branch

