



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding NPR Limited Partnership
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

OPR MNR

Introduction

This matter was conducted by way of Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act* (the Act). The landlord applied for an order of possession and a monetary order for unpaid rent.

Preliminary Issues

Service of Notice of Hearing

The landlord submitted two signed Proof of Service of the Notice of Direct Request Proceeding documents, which declare that on June 16, 2014 the landlord served the tenants with notice of the direct request proceeding by posting the packages on the rental unit door. An application for a monetary order cannot be served by posting; I therefore dismiss with leave to reapply the monetary portion of the landlord's application.

Service of the 10 Day Notice

The landlord submitted a copy of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, issued on June 16, 2014, as well as a copy of the Proof of Service of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, showing that the tenants were served the 10 Day Notice to End Tenancy for Unpaid Rent by posting the notice on the rental unit door on June 6, 2014. In the Landlord's Application for Dispute Resolution, filed June 16, 2014, the landlord indicated that the Notice to End Tenancy was served by posting on June 2, 2014. Due to these contradictions, I cannot be certain when the Notice to End Tenancy was served and whether the landlord made their application prematurely. I therefore dismiss with leave to reapply the portion of the landlord's application regarding an order of possession.

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: August 12, 2014

Residential Tenancy Branch

