Dispute Resolution Services

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 for unpaid rent.

The landlord submitted a signed Proof of Service of the Notice of Direct Request Proceeding which declares that on August 19, 2014 the landlord personally served an individual stated as, "Danny (on behalf of [tenant / respondent name])" with the Notice of Direct Request Proceeding documents.

Analysis

Based on the written submissions of the landlord, I find that the landlord has not provided the required proof they served the Notice of Direct Request proceeding documentation upon the tenant /respondent in accordance with Section 89(2) of the Act. I am not satisfied the tenant has been properly served with notice of this process. The landlord has failed to provide all the required documents with the application for dispute resolution. Therefore, **I dismiss** the landlord's application for Direct Request, with leave to reapply.

Conclusion

This application **is dismissed,** with leave to reapply.

This Decision is final and binding on the parties.

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 27, 2014

Residential Tenancy Branch