



# Dispute Resolution Services

Residential Tenancy Branch  
Ministry of Housing and Social Development

## Decision

### Dispute Codes:

SS

### Introduction

The Landlord submitted an Application for Substituted Service, in which the Landlord has made application for an Order authorizing him to serve the Tenant with Notice of Hearing documents by serving them to people he believes are the Tenant's relatives.

This application is being considered in the absence of the Tenant.

### Issue(s) to be Decided

The issue to be decided is whether the Landlord should be permitted to serve the Tenant with Notice of Hearing documents by serving them on relatives of the Tenant.

### Background and Evidence

The Landlord submitted a tenancy agreement that shows he rented the rental unit that is the subject of this application to the Tenant named in this application, to tenant I will refer to as JD, and to a tenant I will refer to as SG. He stated that he believes the tenants are related. The tenancy agreement shows that this tenancy began on November 01, 2004. The Landlord stated that the tenancy ended on November 19, 2007.

The Landlord stated that he wishes to file an Application for Dispute Resolution, in which all three former tenants are named as respondents. He stated that he believes he knows where the former tenant known as JD and the former tenant known as SG are residing. He stated that he does not know where the Tenant who is the subject of this application is residing and he has no means of contacting him.

The Landlord stated that he has not asked former tenant JD or former tenant SG if they know where the Tenant who is the subject of this application is residing. The Landlord stated that he has not asked former tenant JD or former tenant SG if they continue to have contact with the Tenant who is the subject of this application. The Landlord stated that he has not asked former tenant JD or former tenant SG if they are willing, or able,

to serve the Tenant who is the subject of this application with Notice of Hearing documents.

### Conclusion

I find that the Landlord has established insufficient evidence to show that the former tenants known as JD and SG have the ability or the inclination to serve documents to the Tenant who is the subject of this application. On this basis, I dismiss the Landlord's application for an Order that documents can be served on the Tenant in a method other than required by the *Residential Tenancy Act*.

Date of Decision: March 11, 2009

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