

DECISION

The applicant Landlord applied for an order allowing it to serve the respondent Tenant with the Notice of Hearing documents and an Order or Decision of a Dispute Resolution Officer by registered mail to the Tenant's place of employment.

Background and Evidence

The Landlord's agent GM provided affirmed testimony. He submitted that the Tenant did not provide the Landlord with a forwarding address. The Landlord's agent stated that he has verbally confirmed the Tenant's current employment with an employee of the Tenant's employer. The Landlord's agent submitted that this employee had also advised that the Tenant has a mail box at his place of employment and regularly picks up his mail at this address.

The Landlord provided a copy of the Tenant's application for hydro services at the rental unit along with a copy of the Tenant's application for tenancy at the rental unit. Both applications note the Tenant's employer, which is the same employer where the Landlord is applying to serve the Tenant. The application for tenancy also indicates that the Tenant is a partner in the business that employs him. The Landlord provided a computer printout of the employer's business address.

Analysis

With respect to orders for substituted service, the Residential Tenancy Policy Guidelines states:

An application for substituted service may be made at the time of filing the application or at a time after filing. The party who is applying for substituted service must be able to demonstrate the following two things:

- 1) that the party to be served cannot be served by any of the methods permitted under the Legislation, and
- 2) that the substituted service is likely to result in the party being served having actual knowledge of what is being served

I accept the Landlord's agent's testimony that the Tenant is currently employed as a partner of the business where the Landlord seeks to serve him. I am further

satisfied that the Tenant is likely to receive documents that are mailed to the Tenant's business address

I order that the Landlord may serve the Tenant by mailing documents by registered mail addressed to the Tenant *care of* the Tenant's employer at the Employer's mailing address.

The Landlord is required to substitutionally serve the Tenant in the manner indicated on the enclosed Order, with:

1. a copy of this Decision;
2. a copy of the substitutional service Order;
3. the Landlord's Application for Dispute Resolution; and
4. the Notice of Hearing documents.

Conclusion

The Tenant can be served substitutionally at the address identified on the enclosed Order. The Landlord must serve the Tenant with a copy of this Decision, a copy of the substitutional service Order, the Landlord's Application for Dispute Resolution and the Notice of Hearing documents by registered mail at that address.

The Landlord will be required to prove service at the Hearing.

March 10, 2010

Date of Decision