

Decision

Dispute Codes: SS

Introduction

The landlord(s) apply for substituted service of the application for dispute resolution and notice of hearing (the “hearing package”) and any accompanying documents. I considered the application on an ex parte basis.

Issue to be decided

- Whether the substituted service requested is likely to result in the tenants’ knowledge of the hearing and any documents accompanying the hearing package.

Background and Evidence

In the application it is stated, in part, that “the agent for the landlord was informed that [the tenants] would be residing at [the address for substituted service] in Vancouver, BC.” The building is a “secure strata title building” with no indication of the tenants’ names on the building occupant list. Inquiries made of the building management by a process server have not helped to locate the tenants. In the result, the landlord(s)’ seek substituted service by way of “posting the notice on the building in some manner at [the address in Vancouver, BC.]”

Analysis

Section 71 of the Act speaks to **Director’s orders: delivery and service of documents, and provides** in part as follows:

71(1) The director may order that a notice, order, process or other document may be served by substituted service in accordance with the order.

(2) In addition to the authority under subsection (1), the director may make any of the following orders:

(a) that a document must be served in a manner the director considers necessary, despite sections 88 [*how to give or serve document generally*] and 89 [*special rules for certain documents*];

Having carefully considered the information provided in the application, I find that the method of substituted service requested by the landlord(s) is insufficiently likely to result in the tenants' knowledge of the hearing and any documents accompanying the hearing package.

Conclusion

Following from the above, I hereby dismiss the landlord(s)' application for the method of substituted service requested.

DATE: December 6, 2010

Dispute Resolution Officer