



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION ON APPLICATION FOR SUBSTITUTED SERVICE

Dispute Codes SS

Introduction

This matter dealt with an Application for Substituted Service by the Landlord, for three different files regarding three different rental units, involving the same Tenant.

The Landlord made the request by providing written submissions.

Issue(s) to be Decided

Is the Landlord entitled to an order for substituted service?

Background and Evidence

The Landlord made submissions in writing that the Tenant is not living in these three rental units. The Landlord alleges the Tenant has sublet the three rental units to third parties.

The Landlord submits that the Tenant has declined to provide the Landlord with an address for service of documents, other than at the rental units.

The Landlord submits the only way they have successfully communicated with the Tenant is by leaving messages on her cell phone and by sending her email correspondence.

The Landlord requests service of documents on the Tenant by scanning these and forwarding them electronically to her email address.

Analysis

Based on the above, the written submissions of the Landlord, and on a balance of probabilities, I find that the Landlord is unable to serve the Tenant documents by one of the usual methods required under the Act.

Therefore, I allow the Landlord's request for an order for substituted service.

I order that the Landlord may serve the Tenant with documents electronically, by scanning them and sending them to the Tenant to her email address.

I further order that documents sent to the Tenant in this manner are sufficiently given or served in accordance with the Act, and are deemed served 24 hours after sending them to the Tenant.

I also order the Landlord to serve a copy of this Decision for Substituted Service upon the Tenant in the above manner.

This decision is final and binding on the parties, except as otherwise set out in the Act, and 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: April 26, 2012.

Residential Tenancy Branch