

DECISION

Dispute Codes SS

Introduction

This is an application filed for an order allowing the Landlord substitutional service to serve the Tenant with his evidence by posting it in the local newspaper.

Issue(s) to be Decided

Is the Landlord entitled to a substitutional service order to serve the Tenant?

Background and Evidence

The Landlord states that he has spent time and money to serve the Tenant with his evidence in response to the Tenant's application, with no success. The Landlord states that the Tenant is of no fixed address and no longer resides at the rental unit and that the forwarding address provided was a demolished building. The Landlord states that he has not been able to locate the Tenant for service.

The Landlord seeks to serve the Tenant with his evidence by substitutional service by placing an ad in the local newspaper.

Analysis

The Landlord has not provided any details of his attempts at service. I find that the Landlord has failed to provide sufficient evidence to satisfy me that there is a likelihood that the Tenant would receive the notice of the Landlord's evidence in response to the Tenant's application in the local newspaper.

Conclusion

The Landlord's request for substitutional service is denied.

As the Tenant has provided the dispute address as her service address, the Landlord is direct to serve the Tenant in accordance with Section 88 of the Residential Tenancy Act and as per the Rules of Procedure. Under the circumstances the Landlord should consider serving by way of Canada Post Registered Mail to the service address provided on the Tenant's application. The Landlord is to provide proof of service to confirm this according the rules of procedure in response to the Tenant's application for the hearing.

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: November 20, 2012.

Residential Tenancy Branch