



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND MNR MNSD MNDC FF O

### Introduction

This hearing dealt with the landlord's application for a monetary order. The hearing first convened on January 11, 2013. On that date, the landlord called into the teleconference hearing but the tenant did not. The landlord stated that he had served the tenant with the application for dispute resolution and the notice of hearing by registered mail to the tenant's parents' address. The tenant had provided his parents' address as next of kin in his application for tenancy. I informed the landlord that this did not constitute effective service under the Act, and I adjourned the hearing to allow the tenant another opportunity to serve the tenant.

The hearing reconvened on February 5, 2013. Only the landlord called into the teleconference hearing. The landlord stated that he had been unable to serve the tenant. The landlord at that time requested an order for substituted service.

### Preliminary Issue – Request for Order for Substituted Service

The landlord stated that he spoke with the tenant's father, and confirmed that the father is in contact with the tenant. The landlord stated that he had also hired a skip tracer who had located the tenant's sister. The skip tracer told the landlord that the tenant is in contact with his sister.

I denied the tenant's request for an order for substituted service, as I was not satisfied, based on the landlord's testimony, that there was a reasonable expectation that the tenant would receive notice of the hearing by serving either tenant's parents or the tenant's sister. The landlord already attempted to serve the tenant notice of the hearing by sending the hearing package to the tenant's parents' address, and it was not received.

It is open to the landlord to make a new application for substituted service if he has new evidence to show there is a reasonable expectation that the proposed method of substituted service will result in the tenant receiving notice of the hearing.

Conclusion

The application is dismissed with leave to reapply.

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: February 5, 2013

---

Residential Tenancy Branch

