



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

SS

Introduction

The Landlord submitted an Application for Substituted Service, in which the Landlord has made application for an Order authorizing him to serve the Tenant with Notice of Hearing documents by having a Bailiff personally serving them to the Tenant and/or “at his place of work”. The Landlord already has the right to have a Bailiff personally serve these documents to the Tenant, pursuant to section 89(1)(a) and 89(2)(a) of the *Residential Tenancy Act (Act)*, so I find there is no reason to consider this request.

This application is being considered on the basis of the written documents submitted by the Landlord, in the absence of both parties.

Issue(s) to be Decided

Should the Landlord be permitted to serve the Tenant with Notice of Hearing documents by delivering them to his place of work?

Background and Evidence

The Landlord declared that the Tenant vacated this rental unit on February 28th without paying rent, without cleaning the rental unit, without repairing damage to the unit, and with providing the Landlord with a forwarding address.

The Landlord declared that the Tenant works for a small computer service company, that he knows the website and the phone number of the computer service company, that he does not have a business address for the company, that the Tenant has a n email address for this company on his business card, and that it is unlikely he could personally serve the Tenant at his place of employment, as he constantly moves from site to site for the purposes of completing on-site repairs.

Analysis

While I accept that the Tenant has been employed by this small computer service company, I find that the Landlord has established insufficient evidence to show that the Tenant still works at this company, that the owner or an employee of that company has the ability to serve the Tenant with Notice of Hearing documents, and that the owner or an employee of that company is willing to serve the Tenant with Notice of Hearing documents. As I am unable to conclude that documents served to this computer service company would be delivered to the Tenant, I dismiss the Landlord's application for an Order authorizing him to serve these documents in a manner other than a manner that is required by the *Act*.

Conclusion

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: June 10, 2013

Residential Tenancy Branch

