



# 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 Tenants with Notice of Hearing documents by having a Bailiff personally serving them to the Tenant(s) and/or at Mrs. Andrews' place of work. The Landlord already has the right to have a Bailiff personally serve these documents to the Tenant(s), 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 the female Tenant's place of employment?

### Background and Evidence

The Landlord declared that the Tenant vacated this rental unit without cleaning the rental unit; that they "split up" when they abandoned the tenancy; that the female Tenant did not provide the Landlord with a forwarding address; that he received an email from the male Tenant's email address, in which the male Tenant provided a forwarding address; and that the male Tenant has since informed him that he does not reside at this address and that the email was sent by his daughter.

The Landlord declared that he has only been provided with contact information for the female Tenant's employer; that she has worked there for five years; and that her employer refuses to provide him with a home address for the female.

### Analysis

On the basis of the evidence provided by the Landlord, I find that he received a forwarding address for the male and that he has the right to serve the male Tenant with documents at that address, pursuant to section 89(1)(d) of the *Act*. Although it is not required, the Landlord may wish to make enquiries at that address in an attempt to determine whether the Tenant resides at this address, although the onus would be on the Tenant to prove that it was not a proper forwarding address.

While I accept that the female Tenant declared that she has been employed by the same employer for several years, I find that the Landlord has established insufficient evidence to show that the female Tenant still works for this employer, that an employee of that organization has the ability to serve the female Tenant with Notice of Hearing documents, and that an employee of that organization is willing to serve the Tenant with Notice of Hearing documents. As I am unable to conclude that documents served to this organization 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*. This decision does not prevent the Landlord from personally serving documents to the Tenant at her place of employment.

### 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

