



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION AND ORDER

Dispute Codes SS

The landlords applied for an order for substituted service of their application for dispute resolution. I considered their application on an ex parte basis.

Residential Tenancy Branch Policy Guideline #12 deals with the service of documents. With respect to orders for substitutional service, the Guideline states:

An application for substituted service may be made at the time of filing the application or at a time after filing. The party applying for substituted service must be able to demonstrate two things:

- that the party to be served cannot be served by any of the methods permitted under the Legislation, and*
- that the substituted service is likely to result in the party being served having actual knowledge of what is being served.*

This tenancy ended when the tenant allegedly abandoned the rental unit without returning her keys or providing the landlords with a forwarding address. Although the landlords have apparently attempted to serve the tenant personally at her place of work, they discovered that the tenant now lives in a distant community in British Columbia and has no fixed business office. The landlords provided written evidence that the tenant's place of work confirmed that she attends that office to conduct some work there and to pick up mail between her trips throughout the province as a travelling area manager for her company.

The landlords advised that the office reception staff told them on their last attempt to serve the documents to the tenant at the tenant's business office that documents handed to the receptionist at the tenant's place of work will be delivered to the tenant when she next returns to that office. As such, the landlords seek an order for substituted service by hand delivery to the receptionist for the tenant's office: 123 BC Ltd. at 111 Main Street, Somewhere, B.C.

I am satisfied that the landlords have tried a number of times to hand deliver their documents to the tenant at the tenant's place of work with no success. I am also satisfied that service of the documents to the receptionist at the tenant's place of work will result in successful service of the documents to the tenant. I am also satisfied that there seems no other reasonable way to serve documents to the tenant for the purposes of the landlords' application.

I therefore order that the tenant be served substitutionally by way of personal service of the dispute resolution hearing package and any written evidence that the landlords wish to serve by handing these documents to Receptionist PK or any other staff member of 123 BC Ltd. working at the reception desk at 123 BC Ltd. at 111 Main Street, Somewhere, B.C.

A copy of this decision must be served along with the dispute resolution hearing package, which would include a copy of the landlords' application for dispute resolution and the Notice of a Dispute Resolution Hearing. Once served substitutionally, failure of the tenant to appear at the date and time set for the hearing may result in an Order being made against her.

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: January 08, 2014

Residential Tenancy Branch

