



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding SEB PROJECTS LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      SS

### Introduction

The Landlord applied for substitute service of the application for dispute resolution and notice of hearing (the hearing package). The Landlord's application is considered on an ex parte basis.

### Issue(s) to be Decided

Whether the substitute service is required so that the Tenant can receive the Landlord's hearing package.

### Background and Evidence

The Landlord said the tenancy ended on January 19, 2014 and he has been unable to make contact with the Tenant since the Tenant left the rental unit. The Landlord continued to say that the Tenant has a job which requires a great deal of travel so during the tenancy the Landlord contacted the Tenant at and through the Tenant's place of business. The Landlord said the Tenant works with his parents so he has spoken with the Tenant's parents many times. The Landlord said that the Tenant has not responded to his phone calls or text messages and the Tenant did not give the Landlord a forwarding address. As a result the Landlord has tried to contact the Tenant through his place of business and through the Tenant's parents. The Landlord said the last time he tried to talk with the Tenant's parents they told him they would not help the Landlord contact the Tenant. Consequently the Landlord is requesting substitute service of documents to the Tenant by registered mailing the documents to the Tenant's place of work. The Landlord said this was the normal practice of communicating with the Tenant during the tenancy.

Analysis

**Section 71** (1) of the Act says the director may order that a notice, order, process or other document may be served by substituted service in accordance with the order.

(2) In addition to the authority under subsection (1), the director may make any of the following orders:

- (a) that a document must be served in a manner the director considers necessary, despite sections 88 *[how to give or serve documents generally]* and 89 *[special rules for certain documents]*;
- (b) that a document has been sufficiently served for the purposes of this Act on a date the director specifies;
- (c) that a document not served in accordance with section 88 or 89 is sufficiently given or served for purposes of this Act.

After consideration of the Landlord's application for substitute service I am satisfied the Tenant cannot be serviced by methods permitted under the Act and that substitute service is warranted in this situation.

I authorize the Landlord to service the Tenant with the Hearing package and all other evidence and documents as follow:

- At the Tenant's work address

And/or

- In care of the Tenant's employer at the employers normal mailing address.

Conclusion

The Landlord's application for substitute service is hereby granted.

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: June 11, 2014

---

Residential Tenancy Branch

