



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: SS

Introduction

The landlord has applied for substituted service of the application for dispute resolution and notice of hearing (the “hearing package”), in addition to any accompanying documentary evidence.

Issue(s) to be Decided

Whether the substituted service applied for is likely to result in the tenants’ knowledge of the application, the hearing, and any accompanying documentary evidence.

Background and Evidence

The landlord filed an application for dispute resolution on July 16, 2014, pursuant to which he seeks an order of possession and a monetary order for certain compensation. It appears that the tenants have vacated the unit without providing a forwarding address. Accordingly, the landlord has applied for authority to serve the hearing package and any accompanying documentary evidence by way of PDF format to the tenants’ respective cell phone numbers.

Analysis

Section 71 of the Act speaks to **Director’s orders: delivery and service of documents**, and provides in part as follows:

71(1) 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*];

Having considered the landlord's application, I am satisfied that the tenants cannot be served by any of the methods permitted under the legislation, and that substituted service is likely to result in their having actual knowledge of what is being served. Accordingly, I hereby order that the landlord may serve the hearing package and all accompanying documentary evidence by way of PDF format to their respective cell phone numbers.

A copy of this decision must be provided to each tenant along with the hearing package and any accompanying documentary evidence which is served on them. All of the aforementioned documents must be served in the prescribed manner by not later than midnight, Friday, August 08, 2014.

Conclusion

The landlord's application for an order for substituted 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: July 28, 2014

Residential Tenancy Branch

