



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION - APPLICATION FOR SUBSTITUTED SERVICE

The landlord applies for an order allowing him to serve an Order or Decision of the Arbitrator on the Tenant, Bradley K. Dean, by way of substituted service.

I considered the landlord's application on an ex parte basis.

Residential Tenancy Guideline #12 deals with service of documents. With respect to substituted service the Guidelines state:

The party applying for substituted service must be able to demonstrate two things:

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

The landlord's application states that the tenant abandoned the rental property and did not provide a forwarding address.

The landlord now seeks an Order allowing him to serve the Order or Decision of an Arbitrator by sending it via registered mail to the tenant's place of work at where the landlord alleges he is employed at Kia Motors in Richmond, B.C.

I find that the landlord has supplied insufficient evidence to show that the tenant's employer is willing to accept service on the tenant's behalf and I am not satisfied that an Order or Decision mailed, registered or otherwise, to the tenant's employer will be delivered to the tenant to ensure that the tenant has full notice of the claims being made against him in keeping with the principles of natural justice.

The application for substituted service is therefore dismissed with leave to reapply.

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*.

Residential Tenancy Branch

