



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding T & M Holdings
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes SS

Introduction

This is an application for an Order for a Substitute Service for the Notice of Hearing and hearing documents.

Issue(s) to be Decided

The issue is whether or not a Substitute Service Order should be issued.

Background and Evidence

The applicant stated that:

- She has never had a mailing or physical address for the landlord for this rental unit and all contact was done through e-mail.
- She did find a document from the landlords with an address on it and therefore she sent the hearing package to that address by registered mail; however the documents were returned, stating that the recipient is not located at that address.
- She even did a corporate search however was unable to come up with an address for the landlords.
- During the tenancy, every month she would send a PDF copy of the utility invoice to the landlord by e-mail, and every month the landlord responded to that e-mail and therefore she knows that the landlord receives her e-mails.
- She is therefore requesting a substitute service order to allow her to copy all the documents for the file to PDF format, and to serve them by e-mail to the e-mail address used during the tenancy

Analysis

It is my finding that the applicant has show that if the hearing package and Notice of Hearing are served on the landlord by the e-mail address that she used during the tenancy, it is most likely that the landlords will receive those documents, and therefore I allow the request for substitute service by e-mail.

Conclusion

I hereby Order that the applicant/tenant may serve the respondents/landlords with copies of the Notice of a Dispute Resolution Hearing, and hearing package by sending the documents in PDF form by e-mail to the e-mail address used during the tenancy.

I also Order that the applicant/tenant attach a copy of this decision in the above e-mail.

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 23, 2014

Residential Tenancy Branch

