

Unreturned Certificate of Service

The Residential Tenancies Act:

- Prescribes the period that a copy of the application and notice of hearing must be served on the other party after filing an application.
- Provides Residential Tenancies Officers the authority to close an application.

Reference:

Residential Tenancies Act: Section 13(2) and 15

Details:

A Certificate of Service must be returned to the Residential Tenancy Program before the dispute resolution process can begin.

A Certificate of Service must be returned to the Program within 7 days of the date the Application to Director has been made.

If the Certificate of Service is not returned to the Program within 7 days of the date of the application the Officer may close the file.

Procedure:

Applicants must serve the respondent(s) with a copy of the Application to Director and return a Certificate of Service for each respondent within 7 days from the date the application was made. This date will be listed on the notice of hearing.

A Certificate of Service can be returned by:

- Delivering a completed Certificate of Service at an Access center
- Emailing Certificate of Service to Residential Tenancy Officer assigned to file

If an applicant has made reasonable but unsuccessful attempts to serve the respondent(s), they can contact the assigned officer for assistance.

If a Certificate of Service is not returned within 7 days of the Application, the Residential Tenancy Officer has the discretion to close the file.

When a file is closed a notice will be sent to the applicant advising them their file is closed. This notice may be sent by mail or electronic means if permission to communicate by email has been given on Application to Director.

If the file has been closed and the applicant wishes to have the same matter resolved they are required to file a new application and pay the fee.