



How to serve an application¹

Serving an application... What it's all about

You have just filed an application with the Régie du logement. Below are the first questions you will be asked by the commissioner who hears your application:

"Have you served a copy of your application on each of the parties to the proceeding?" "Can you prove it?"

Why is it essential to answer these questions in the affirmative? Because, under the law, the party against which you have brought the proceeding must be informed in advance of the **accusation or accusations** against it and of the **outcome** you are seeking, in order to **mount an adequate defence**.

The original application and all of the amendments and motions must be served on each of the parties to the proceeding.

If you do not do so within a reasonable time, your hearing may be postponed.

The Régie du logement does not impose a specific method for serving the application. However it **does require** that the **proof of service**, whatever it may be, convince the commissioner that each of the parties received a copy of the application.

The most common service methods are described in the table on the back of this page.

And what if the application is not served?

If you are unable to serve your application using the methods indicated in the table, contact the Régie. A commissioner can authorize you to serve your application another way, for example, through the newspapers.

¹. Service applies to applications, amendments and motions.

Method	Suggested proof	Explanations
By hand (person to person)	A person who can testify to having seen the application being served An acknowledgment of receipt dated and signed by the recipient	The witness must be present at the hearing. Have the acknowledgment of receipt with you at the hearing.
By registered mail	Delivery confirmation from Canada Post and Signature confirmation from Canada Post	Canada Post will provide you with proof that your application was mailed , but that is not proof it was received . On January 1, 1999, Canada Post eliminated its acknowledgment of receipt (pink card). You can obtain delivery confirmation by Internet ² or fax ³ free of charge. However, the confirmation does not tell you the name of the person who signed to receive the application. The Commissioner could therefore require you to prove the signature confirmation. * ❖ You can call Canada Post ⁴ to obtain a photocopy of the register entry showing the signature and date of receipt of the mailed application. This information will be sent to you C.O.D. (cash on delivery), at a cost of \$5 plus tax. ⁵
By bailiff	Affidavit of service	See the Yellow Pages, under "Bailiffs". After serving your application, the bailiff will send you an affidavit of service as confirmation of delivery. Bring the document to the hearing.

How to reach us:

Laval, Longueuil and Montréal areas: 514-873-2245

Elsewhere: 1-800-683-2245

Régie du logement Website: <http://www.rdl.gouv.qc.ca>

2. <http://www.canadapost.ca> (Section: Track a package).

3. 1-800-267-1155 or 1-888-550-6333.

4. See note 3.

5. Because these costs are subject to change, please contact Canada Post for information.