Alternative service in Small Claims

The documents you need to ask a registrar for another way to serve a Notice of Claim

B.C. Provincial Court, Small Claims (civil, not family) · General information, not legal advice

General information, not legal advice. This handout lists the documents involved and restates what the Small Claims Rules, the forms and the Province's own guide say. It does not say which method to ask for, whether an application will succeed, or what to argue. We are a process serving company, not a law firm; for advice about your file, talk to a lawyer, a legal clinic or the registry.

Who this is for

You filed a **Notice of Claim** in B.C. Provincial Court Small Claims (a civil claim, not a family case) and it has not been possible to serve the defendant in one of the usual ways. Claims of $5,000 or less usually go to the Civil Resolution Tribunal instead; see the CRT note on page 2.

The short answer

One form: Form 16, Application to a Registrar (SCL 016). On it, tick *"permitting another method of service of a Notice of Claim/Notice of Civil Resolution Tribunal Claim."* It is not Form 17, which is an application to a judge.

- The Rules let a claimant apply to a **registrar** for permission to serve a Notice of Claim another way. The registrar may also set the time the defendant has to file a reply (Rule 18(8)). The Court's order list calls this *substitutional service*.
- A registrar deals with it **without notice to the defendant and without a hearing** (Rule 16(2)). The registrar may refer it to a judge, who may decide it or require the applicant to appear (Rule 16(4) and (5)).
- **No filing fee** for Form 16 is listed in Schedule A to the Rules. E-filing through Court Services Online costs $7. Swearing an affidavit at the registry costs $31. Processing times are not published.

Checklist

1. What you file	2. What you serve after the order	3. How you prove it
☐ **Form 16**, Application to a Registrar, with the "another method of service" box ticked.	☐ The filed **Notice of Claim**.	☐ **Certificate of Service, Form 4** (SCL 004F), ticking the option for an alternate method ordered by the Court (Rule 18(14)).
☐ **Form 38**, Address for Service (SCL 057), if you have not already filed one. The Rules require it with the application (Rule 16(3.1)).	☐ A blank **Reply** (Form 2).	☐ Or an **affidavit of service**, which the Court's order list also allows, attaching for example the email or text sent, or a photo of the documents posted on the door.
☐ **Supporting evidence**, if any. The Rules do not require an affidavit; the facts go on Form 16. Many applicants attach a process server's **affidavit of attempted service**.	☐ Your **Address for Service** (Form 38).	
	☐ A blank **Form 38** for the defendant.	
	☐ A copy of the **registrar's order**, unless the registrar orders otherwise (Rule 18(9)).	

Serve the package exactly as the order says. If the order sets a different time to reply, the Province's guide says to cross out the 14 days on the Notice of Claim and write in the number of days the registrar ordered.

Methods and timing

- Without an order, a Notice of Claim cannot be served by email (Rule 18(12)(c)). The Court's order list includes orders for service by email, text message, Facebook Messenger, posting on the door, leaving with an adult (19 or older), notice in a newspaper, and fax.
- A Notice of Claim expires **12 months** after filing if it is not served (Rule 2(7)). Renewal is also asked for on Form 16 (tick *"renewing a claim"*), and the application is made before the claim expires.

- A Notice of Civil Resolution Tribunal Claim has a much shorter life: **28 days** (Rule 1.1(17)). Rule 18(8.1) allows the same application for another method of service.

What Form 16 asks for, box by box

Box on the form	What it asks for
File number, location, parties	The registry file number and location, and the claimant(s), defendant(s) and any third party, copied from the Notice of Claim.
From: applicant(s)	The name of each person filing the application, and a tick for whether Form 38, Address for Service, is *included for filing* or *previously filed*.
The applicant asks for an order	Tick *"permitting another method of service of a Notice of Claim/Notice of Civil Resolution Tribunal Claim."* Other boxes on the list include renewing a claim and permitting service of a claim outside B.C.
Details of the order	The form's note says to give details of the order asked for: for example who is to be served, which documents, and by what method.
The facts	The facts the applicant wants the registrar to consider, then *"I certify these facts are true"* and the applicant's name. The Province's guide says to be prepared to give details of how you tried to serve and what happened; applicants often refer to an attached affidavit of attempted service.
Bottom half	Left for the registrar: the date and the order made. The form notes that a copy of the order is then served on all parties unless a judge, justice or registrar orders otherwise.

Civil Resolution Tribunal (claims up to $5,000)

Claims of $5,000 or less usually go to the CRT, not to Small Claims court, and the CRT has its own process. There is no PDF form; it is done online through your CRT account.

- The CRT Rules give **90 days** from the Dispute Notice to serve it (Rule 2.3).
- If service is difficult, a **Request for Directions on Service** is filed online before that deadline. The CRT considers it only after the approved methods have been tried, or the applicant explains why one cannot be used (Rule 2.9).
- A **Request for Extension to Serve** also exists. **Proof of Service** is due within 10 days of serving.

What we provide

An affidavit of attempted service. We prepare a sworn record of each attempt: the date, time and address, what the server saw, and who they spoke to. Many applicants attach it to Form 16 as supporting evidence.

Service under the order. Send us the registrar's order with the documents; we serve them by the method the order allows and complete the proof of service. Call or text **250-718-8441**, email **admin@okanaganprocessservers.ca** or visit **www.okanaganprocessservers.ca**.

Official forms and sources

Form 16, Application to a Registrar: SCL 016

Form 38, Address for Service: SCL 057

Form 2, Reply: SCL 002

Form 4, Certificate of Service: SCL 004F

Affidavit: SCL 848

All Small Claims forms: gov.bc.ca

Province's guide: Serving documents

Court's order list: Small Claims Orders Picklist

Small Claims Rules, B.C. Reg. 261/93: Rules 1 to 5 · 16 to 22

Civil Resolution Tribunal: civilresolutionbc.ca · account

General information, not legal advice. Rules and forms change; check the current versions at gov.bc.ca and bclaws.gov.bc.ca. October 2026.