6-07/720.50 Gated Community

Guards at gated communities must allow peace officers and licensed process servers access for the purpose of serving process, upon proper identification. (CCP 415.21) If access is refused, substitute service may be made upon the gate guard. A gate guard at a gated community or a doorman in an apartment building is considered a “competent member of the household” and a person “apparently in charge” of a corporate office where they control access to the residence. The guard gate or front door of the apartment house constitutes part of the dwelling for service of process purposes: “The outer bounds of the actual dwelling place must be deemed to extend to the location at which the process server’s progress is arrested.” (Bein v. Brechtel-Jochim Group, Inc., 6 CA 4th 1387)