



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION AND REASONS

Dispute Codes

CNC & FF

Introduction

This hearing dealt with an application by the tenant seeking to dispute a one month Notice to End Tenancy for cause which was served by the landlord. Both parties were present at the hearing. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present oral evidence, to cross-examine the other party, and to make submissions during the hearing.

Preliminary Issue:

I have determined that this dispute is not within the jurisdiction of the *Act*. I accept the oral evidence of the parties that the occupant and sister are having a dispute about the property. I am satisfied from the occupant's evidence that he is not a tenant as he has an interest in the property which is greater than found in a tenancy agreement.

The manufactured home is owed by the parties' mother. The occupant has been living in the manufactured home since approximately October or November 2005. Both parties agreed that the occupant acquired shares, or an interest, in the property so that he would be permitted to live in the manufactured home park with his mother. The occupant has also paid money towards the mortgage and property taxes for the manufacture home.

Conclusion

Therefore, pursuant to section 4 of the *Act* I dismiss this application as I have no jurisdiction under the *Act*. The one month Notice to End Tenancy is of no force or effect.

Dated June 18, 2009.

Dispute Resolution Officer