

DECISION

Dispute Codes CNL, MNR, OPR, FF

Introduction

Some documentary evidence, photo evidence, and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

All testimony was taken under affirmation.

Decision and reasons

After reviewing the documents submitted for the hearing I had concerns about jurisdiction and therefore I dealt with that matter at the beginning of the hearing.

The parties stated that originally this was a rent to purchase agreement however that agreement had not been completed and they subsequently entered into another agreement in which the tenant would complete some improvements in the house and then the house would be listed for sale, and anything over \$500,000.00 would be shared 50-50 between the parties.

The Residential Tenancy Act only has jurisdiction over landlord-tenant disputes, and it is my finding that the respondent in this case has more of an interest in the property than that of a tenant. It is my decision therefore that the Residential Tenancy Act does not have jurisdiction over this dispute.

Conclusion

I declined jurisdiction over this matter and the parties will have to look to some other jurisdiction to resolve their dispute.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: May 19, 2010.

Dispute Resolution Officer