

DECISION

Dispute Codes MT CNR

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant to be granted more time to make her application and to obtain an Order to cancel a notice to end tenancy for unpaid rent.

Issues(s) to be Decided

Is the Tenant entitled to an Order to allow her more time to make her application under section 66 of the *Residential Tenancy Act*?

Is the Tenant entitled to an Order to cancel a notice to end tenancy under section 46 of the *Residential Tenancy Act*?

Background and Evidence

The applicant Tenant submitted late evidence which was received at the Residential Tenancy Branch on May 20, 2010 at 15:12 hrs. The late evidence consisted of a covering letter from the applicant's counsel, a writ of summons filed in the Supreme Court on May 20, 2010 which lists the same parties who are named in this dispute resolution application, and a statement of claim pertaining to the interest of the property occupied by the applicant Tenant.

Counsel for the respondent Landlord confirmed that his client received the above mentioned documents and that they were stamped with the Supreme Court Registry Seal on May 20, 2010.

Analysis

Section 58 (2) (c) of the *Residential Tenancy Act* provides that if the director receives an application the director must determine the dispute unless the dispute is linked substantially to a matter that is before the Supreme Court.

For that reason, I declined to hear this matter for want of jurisdiction.

Conclusion

I HEREBY DISMISS the application, for want of jurisdiction.

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 21, 2010.

Dispute Resolution Officer