

DECISION

Dispute Codes CNC O FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Applicant to cancel a notice to end tenancy for cause, for other reasons, and to recover the cost of the filing fee from the Respondent for this application.

Issues(s) to be Decided

Is the Applicant entitled to an Order to cancel the notice to end tenancy under section 47 of the *Residential Tenancy Act*?

Background and Evidence

The Applicant confirmed that she has made application on June 10, 2010 to the Supreme Court to have issues relating to this matter heard. The testimony was supported by the Applicant's evidence which included among other things a copy of the Writ of Summons which was stamped by the Supreme Court Registry.

Analysis

Section 58(2) of the *Residential Tenancy Act* provides that if the director receives an application in relation to a dispute with a landlord and/or tenant 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.

Conclusion

I HEREBY DISMISS the application in accordance with section 58(2) of the *Residential Tenancy Act*.

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: July 07, 2010.

Dispute Resolution Officer