



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNL, FF

Introduction

This matter was due to deal with an application by the tenants to cancel a Notice to End Tenancy for the landlords' use of the property and to recover their filing fee paid for their application.

At the outset of the hearing it was determined that the tenants have resided at the property for 24 years. The Residential Tenancy Policy Guidelines #27 states:

The Residential Tenancy Act (4) excludes from the Act tenancy agreements with a term longer than twenty years. Two or more agreements which provide for a total term exceeding twenty years may be an agreement exceeding twenty years.

If the landlord complies with the steps set out in the sections referred to above, that does not mean that the Residential Tenancy Act applies to the relationship between the parties. It means only that the landlord has complied with the statutory requirements to enter into a valid agreement. For historical reasons, the Act does not otherwise apply to residential tenancy agreements with a term exceeding twenty years.

Consequently, I decline jurisdiction in this matter.

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: August 30, 2010.

Dispute Resolution Officer