



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **Decision**

### **Dispute Codes:**

CNL , CNQ, O, FF

### **Introduction**

This hearing dealt with an Application for Dispute Resolution by the tenant seeking an order to cancel a Two-Month Notice to end Tenancy for Landlord's Use and a finding that the dispute does not fall under the Residential Tenancy Act as the matter is before a higher court.

This application was set to be heard by conference call. The notice of hearing sent to each party required them to join in the conference call at the time of the hearing by calling in to the number provided and entering the participant code identified. This conference call was set for 10:30 a.m. Only the respondent called in. The line was held open for 10 minutes but the applicant failed to appear and the hearing ended at 10:40 a.m. without any testimony being given.

Based on the above, the hearing could not proceed. However, I hereby dismiss this application without leave as it has been established that this matter is before the Supreme Court and is therefore beyond my jurisdiction to determine under the 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: December 2010.

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Dispute Resolution Officer