



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, O

Introduction

A substantial amount of documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request to cancel a Notice to End Tenancy, and a request to determine jurisdiction.

Background and Evidence

Both the landlord and the tenant agree that the landlord agreed to recognize an additional \$275.00 per month towards a deposit on the possible purchase of the property.

Analysis

It is my finding that, since a portion of the money paid monthly is to be applied towards a possible purchase of the property; the applicant has more of an interest in this property than that of a tenant as defined by the Residential Tenancy Act and therefore the Residential Tenancy Act has no jurisdiction over this dispute.

Conclusion

I therefore decline jurisdiction and will not hear the merits of this case.

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: April 18, 2012.

Residential Tenancy Branch