



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, OPT, LAT, FF, SS, O

Introduction

This hearing dealt with an Application for Dispute Resolution seeking an order of possession; a monetary order; an order to allow the applicant to change locks; and an order to allow service in a method other than that allowed under the *Residential Tenancy Act (Act)*.

The hearing was conducted via teleconference and was attended by the applicant and a representative for respondent.

The applicant identified in the section of her Application entitled Details of Dispute “not under jurisdiction of RTB”. She also had provided into evidence a copy of a Dispute Resolution decision dated August 10, 2012 in which Dispute Resolution Officer (DRO) XXXXX found that the parties were not in a landlord/tenant relationship but rather a seller/purchaser relationship as per their “Rental Purchase Agreement”

As a result of this finding DRO XXXXXX declined jurisdiction. In addition, both parties confirmed in this hearing that the relationship had not changed and that both will be seeking remedy for their dispute through the Supreme Court of British Columbia I also decline jurisdiction.

Issue(s) to be Decided

The issues to be decided are whether the applicant is entitled to an order of possession for unpaid rent; to a monetary order for loss or damage under the *Act*, regulation, or tenancy agreement; for an order to allow the applicant to change locks on the unit; to allow the applicant to serve the respondent in a manner that is different than that allowed under the *Act* and to recover the filing fee from the respondent for the cost of the Application for Dispute Resolution, pursuant to Sections 54, 67, 71, and 72 of the *Act*.

Conclusion

Based on the previous determination by DRO XXXXX and in the absence of any evidence that the applicant and respondent relationship has changed I decline jurisdiction in these matters.

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: January 16, 2013

