



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

Introduction

No hearing was held in this matter today. The parties agreed that no Notice to End tenancy has been served upon the tenant. The lawyer for the Public Guardian and Trustee of British Columbia also states that this is a matter substantially before the Supreme Court of British Columbia concerning the wills of the late grandparent of the applicant and is not a matter for the Residential Tenancy Office.

In determining the matter of Jurisdiction s. 58(2)(c) of the *Residential Tenancy Act (Act)* states:

(2) Except as provided in subsection (4), if the director receives an application under subsection (1), the director must determine the dispute unless

(c) The dispute is linked substantially to a matter that is before the Supreme Court.

Furthermore, if no Notice to End Tenancy has been issued to the tenant then the tenant's application has no merit and must be dismissed.

Conclusion

I decline to hear the tenant's application at this time and the application is dismissed.

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: March 28, 2013

Residential Tenancy Branch

