



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes:

CNC

Introduction

This is the Tenant's application to cancel a One Month Notice to End Tenancy for Cause, issued October 30, 2013.

The parties and the Tenant's witness gave affirmed testimony at the Hearing.

Preliminary Matters

The Landlord submitted that the Tenant is not a tenant, but is merely an occupant of the rental unit and therefore my authority to consider his application and to make orders was brought into question.

I heard extensive submissions from both parties and from the Tenant's witness, a synopsis of which will be provided later in my decision regarding jurisdiction. The time allotted for the Hearing was insufficient to conclude this preliminary matter. In addition, there were documents that I found I required to make an informed decision, and I advised the Landlord that I wished to hear from the owner of the rental property, either by oral testimony or a notarized written statement with respect to his relationship, or lack of relationship, with the Tenant.

Therefore, I adjourned this matter to January 7, 2014, at 11:30 a.m. I gave the parties the pass code to sign into the Hearing. A Notice of Reconvened Hearing is included with this Interim Decision confirming the sign in particulars and the time and date of the Reconvened Hearing.

I Order that the Landlord provide the owner's testimony, orally or in a notarized statement, with respect to his submissions with respect to his tenancy relationship with the Tenant. If the owner provides a notarized statement, I order that the Landlord serve the Tenant and the Residential Tenancy Branch with the statement at least three days before the reconvened Hearing.

I Order that the Landlord provide the Tenant and the Residential Tenancy Branch with a copy of a land title search of the rental property confirming the identity of the owner, at least three days before the reconvened Hearing.

I Order that the Tenant provide the Landlord and the Residential Tenancy Branch with copies of the cheques he provided the Landlord in payment of rent, at least three days before the reconvened Hearing.

Conclusion

Copies of a Notice of Reconvened Hearing are provided to both parties. This matter is adjourned to the date and time provided in the enclosed Notice of Reconvened Hearing.

I have made Orders, the particulars of which are provided above.

This interim 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 20, 2013

Residential Tenancy Branch

