



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding quitlam
and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes O, FF

This is an application filed by the landlord for an order to quash an order by the respondent (City of Port Coquitlam) and recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony. Both parties have attended and have confirmed receipt of the notice of hearing package and the submitted documentary evidence (a copy of a letter from the City of Port Coquitlam dated October 17, 2014, RE: Illegal Secondary Suite Visit).

At the outset of the hearing the landlord stated that the respondent, City of Port Coquitlam was not a tenant but a third party. The tenant/respondent confirmed this stating that the Residential Tenancy Branch has no jurisdiction in this matter and that applicant is seeking an authority to deal with issues over the city's right to enforce bylaws. Both parties confirmed that there was no landlord/tenant relationship between the two parties. The landlord seeks clarification that the Residential Tenancy Branch has jurisdiction as the landlord has named the City of Port Coquitlam as a respondent under section 2, 47, 61, 62 and 91 of the Residential Tenancy Act that the Residential Tenancy Branch has the authority to make an order to quash the order of the respondent. The order being a letter dated October 17, 2014 which state that the landlord is not compliant with zoning bylaw, No. 3630. The tenant/respondent in this matter disputes that the Residential Tenancy Branch has no standing to deal with the landlord's dispute and is a third party.

I find that the Residential Tenancy Act does not apply in this case and that the Residential Tenancy Branch has no jurisdiction in dealing with zoning bylaws. The

Residential Tenancy Act applies to disputes between landlords and tenants, not third parties. As such the application is dismissed for lack of jurisdiction.

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 10, 2014

Residential Tenancy Branch

