



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding THE OWNERS, STRATA PLAN BCS3888

DECISION

Dispute Codes CNC
Introduction

The tenant applies to cancel a Notice to End Tenancy issued under s. 47 of the *Residential Tenancy Act* (the “RTA”) by a strata corporation under its authority to do so granted by s. 138 of the *Strata Property Act*.

The respondent strata corporation has been renamed in the style of cause to reflect its proper legal name.

The strata corporation is not the applicant tenant’s landlord. It appears that the tenant’s landlord, the respondent B.S., neither authored nor authorized the Notice in question.

Section 58 of the *RTA* indicates that a person may only make an application for dispute resolution in relation to a dispute with the person's landlord or tenant.

Counsel for the landlord confirms that the jurisprudence indicates that if the strata corporation wishes to pursue the matter of the Notice, it must do so in court, not here.

The tenant’s application is dismissed, as I am not authorized to deal with his dispute against someone other than his landlord. I make no finding about whether or not there are good grounds under the Notice, justifying the ending of this tenancy.

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 01, 2015

Residential Tenancy Branch

