



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

CNR

Introduction

This hearing was convened in response to an Application for Dispute Resolution (the "Application") made by the Tenant to cancel a notice to end tenancy for unpaid rent. One of the Tenants and the Landlord appeared for the hearing and provided affirmed testimony. At the onset of the hearing, the Landlord explained that he had obtained an Order of Possession during a hearing that he had applied for to end the tenancy early. In that hearing (the file number for which appears on the front page of this decision) that took place on April 6, 2016, that Arbitrator issued the Landlord with an Order of Possession effective two days after service on the Tenant. I noted that the Tenant had applied for a review of the April 6, 2016 order which was subsequently dismissed. The Landlord explained that he had obtained a Writ of Possession which he had enforced against the Tenants to get back possession of the rental unit.

The Tenant confirmed that they were no longer in the rental unit as they had been illegally evicted. The Tenant stated that she had appeared for this hearing to argue that the Writ of Possession obtained by the Landlord was illegal. I informed the Tenant that the Residential Tenancy Branch does not have jurisdiction over orders issued by the Supreme Court and that this matter would be more appropriately dealt through other remedies outside of the dispute resolution process. As a result, I dismissed the Tenant's Application to cancel the notice to end tenancy as the Landlord had already ended the tenancy using other remedies under the *Residential Tenancy Act* (the "Act"). This file is now closed. This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: April 28, 2016

Residential Tenancy Branch