



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes MT, CNC, OPT, LAT, LRE, O, MNDC, MNR, RR, SS

### Introduction

This hearing dealt with the tenants' Application for Dispute Resolution seeking more time to cancel a notice to end tenancy; to cancel a notice to end tenancy; to obtain an order of possession; orders restricting landlord's access and changing locks; a rent reduction; a monetary order; and an order to serve the landlord with documents in a manner not normally allowed.

The hearing was conducted via teleconference and was attended by both tenants and the landlord.

At the outset of the hearing the parties had confirmed that the tenants have filed a claim in the Supreme Court of British Columbia. The tenants confirmed that the claim before the Supreme Court is related to a claim of joint ownership of the subject property.

Section 58(2)(c) of the *Residential Tenancy Act (Act)* stipulates that if the director receives an application for dispute resolution the director must determine the dispute unless the dispute is linked substantially to a matter that is before the Supreme Court.

As per the tenants' submission that the Supreme Court matter relates to the ownership of the subject property I find that this dispute is substantially linked to the matter before the Supreme Court.

### Issue(s) to be Decided

The issues to be decided are whether the tenants are entitled to more time to cancel a notice to end tenancy; to cancel a 1 Month Notice to End Tenancy for Cause; to an order of possession; to an order allowing the tenants to change locks and restrict the landlord's access to the rental unit; to a rent reduction; to a monetary order for unpaid compensation and emergency repairs; to serve the landlord with documents in a manner not allowed under the *Act* and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 33, 47, 54, 55, 65, 66, 67, 70, 71, and 72 of the *Act*.

Conclusion

Based on the above, I decline to accept jurisdiction on these matters until such time as all matters related to the Supreme Court matter are resolved.

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: June 27, 2016

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Residential Tenancy Branch