



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FF

Introduction

On December 19, 2019, the Tenants applied for dispute resolution under the *Residential Tenancy Act* ("the Act") to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

The matter was set for a conference call hearing. The Landlords and Tenants attended the hearing. The Landlords and Tenants were both represented by legal counsel.

Preliminary and Procedural Matters

The Tenants' counsel submitted that there is a civil claim involving the parties that is before the Supreme Court.

The Landlords counsel submitted that the parties are actively working on an interim agreement with respect to the occupation of the rental unit while the matter is before the Supreme Court.

The Landlord agreed to cancel the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated December 17, 2019.

The Tenants agreed to withdraw the application to cancel the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated December 17, 2019.

Based on the above, the Tenants' application is dismissed, and I set aside the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated December 17, 2019.

If the parties are unable to resolve their dispute and the Landlord wants to pursue an end to the tenancy, the Landlord will need to issue a new notice to end tenancy.

The parties are aware that since there is an issue of ownership before the Supreme Court the issue of jurisdiction may need to be addressed at any future hearing.

Conclusion

The Tenants application for dispute resolution is withdrawn by the Tenants and is dismissed.

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: February 25, 2020

Residential Tenancy Branch