



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding NOBLE & ASSOCIATES PROPERTY MANAGEMENT, FIRST
SERVICE RESIDENTIAL BC LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC, FFT

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- an order requiring the landlord to comply with the *Act*, regulation or tenancy agreement pursuant to section 62; ; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

This matter was scheduled for a conference call at 9:30 a.m. on this date. Both parties participated in the teleconference. Both parties gave affirmed evidence and were given an opportunity to make submissions and arguments to me.

Preliminary Issue - Jurisdiction

The tenants filed this application as they were upset that the Strata Council imposed by-law fines against them. The tenants testified that they had no issue with any of the parties named as landlords for this application. The landlord testified that the tenants' issue is with the Strata itself and has nothing to do with the landlord. The landlord testified that the Strata Council imposed the fines and that the tenant should address the issues with them. The Residential Tenancy Act addresses issues between landlords and tenants. The tenants' issue is with the Strata Council, not the landlord. I find that the above issue does not fall under the Residential Tenancy Act as this is not a dispute between landlord and tenant, but rather tenant and Strata Council.

Conclusion

I HEREBY DECLINED TO HEAR this matter, for want of jurisdiction and the application is dismissed, without leave to reapply.

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: May 27, 2021

Residential Tenancy Branch