



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on January 6, 2021, wherein the Applicant sought an early end to tenancy pursuant to section 56 of the *Residential Tenancy Act* (the "Act") as well as recovery of the filing fee.

The hearing was scheduled for teleconference at 9:30 a.m. on May 7, 2021. Only the Respondent, B.S. and S.H., called into the hearing. B.S. advised she is a strata council member; S.H. stated that he was the current strata manager.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that B.S. and S.H. and I were the only ones who had called into this teleconference.

B.S. and S.H. stated that the Applicant is an owner, not a landlord, and that there is no tenancy agreement or tenancy relationship. They further confirmed the Applicant named the strata as well as the previous Strata Manager as Respondents (the latter of which she personally named nine times on the Application). The Applicant also named "Cats & Dogs or any animals".

The Applicant identified 31 suites in a strata apartment building as the "rental unit" on her Application. This is an inaccurate characterization.

The matters raised by the Applicant involve a dispute she, as an owner, has with the Strata. Disputes involving stratas are not within the jurisdiction of the Residential Tenancy Branch, rather they are within the jurisdiction of the Civil Resolutions Tribunal.

I therefore decline jurisdiction to hear this matter.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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 07, 2021

Residential Tenancy Branch