



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNC FFL FFT MNDL OPC

Introduction and Preliminary Issue re Jurisdiction

The parties filed applications under the *Residential Tenancy Act* (“Act”).

Landlords’ counsel explained that there is a claim regarding the property currently in litigation at the Supreme Court of British Columbia and thus the Director under the Act does not have jurisdiction pursuant to section 58(2)(d) of the Act. The tenant remarked that this was his understanding as well.

Because the applications relate to a “dispute [that] is linked substantially to a matter that is before the Supreme Court” the director must not, and cannot, determine the dispute. Therefore, the applications will not be decided upon for want of jurisdiction.

This decision is made on delegated authority under section 9.1(1) of the Act.

Dated: January 24, 2023

Residential Tenancy Branch