



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with an application by the tenant for an order setting aside the landlord's Notice to End Tenancy dated February 5, 2014. The landlord did not attend the hearing despite having been served with the Application for Dispute Resolution and Notice of Hearing on by posting on her door on or about February 11, 2014.

Additionally, the 'tenant' claims that he is not a 'tenant' at all but rather the common law partner of the 'landlord' and that that the two have been co-habiting in the residential property for the past 33 years. Apparently, the parties have recently separated and the 'landlord' has moved out but the 'tenant' has remained in the residential property with the 'landlord's' adult children.

Further, according to the tenant's legal advocate, the whole issue of ownership of the residential property is going to be dealt with in the context of the Family Relations Act and that the matter is not under the jurisdiction of the Residential Tenancy Act.

Based on the information before me, I agree that this is not a matter over which I have jurisdiction. As a result, I dismiss this matter on the basis of no jurisdiction.

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: March 31, 2014

Residential Tenancy Branch

