



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNR, FF

Introduction

This hearing dealt with an Application for Dispute Resolution with the applicants seeking more time to cancel a notice to end tenancy and to cancel a notice to end tenancy. The hearing was conducted via teleconference and was attended by the applicant

At the outset of the hearing the applicant submitted that the residential property belonged to her recently deceased mother and that the will is still in probate. The applicant also noted that the party who issued the notice was her brother and a party to the estate. In the absence of any evidence to the contrary, I find that a tenancy relation, as per the *Residential Tenancy Act (Act)* does not exist between these two parties.

Issue(s) to be Decided

The issues to be decided are whether the tenants are entitled to more time to submit an Application for Dispute Resolution to cancel a notice to end tenancy; to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and to recover the filing fee from the landlords for the cost of the Application for Dispute Resolution, pursuant to Sections 46, 66, 67, and 72 of the *Act*.

Conclusion

As I have determined above, that the a tenancy does not exist, I decline jurisdiction on these matters between these parties.

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: December 17, 2015

Residential Tenancy Branch

