

DECISION

Dispute Codes: MND & FF

Introduction:

This hearing dealt with the landlord's claim for damages to the rental unit and furnishings.

Issue to be Determined:

Does this dispute fall under the jurisdiction of the *Residential Tenancy Act*?

Analysis:

During the course of this hearing I determined that the landlord is the owner of the above noted residence. The landlord rented, to the respondent, a bedroom in this residence and shared the kitchen facilities with the tenant.

Section 4 of the *Act* states that circumstances where living accommodations are rented by the owner of a residence which share the kitchen or bathroom facilities are excluded from the *Act*.

Based on the evidence before me I find that the dispute arising out of the living arrangements between the applicant and the respondent are not considered under the *Act* and I refuse jurisdiction of this dispute.

Conclusion:

The landlord's application is dismissed as it cannot be determined under the *Residential Tenancy Act*.

Dated December 19, 2008.

Dispute Resolution Officer