

DECISION

Dispute Codes: CNL

This hearing dealt with an application by the tenant to cancel a notice to end tenancy for landlord's use of rental property. Despite having been served with the application for dispute resolution and notice of hearing in person on January 16, the landlord did not participate in the conference call hearing.

Section 4 of the *Residential Tenancy Act* states that the Act does not apply to living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation. In this case, the tenant said that he had been sharing a bathroom with the landlord in this tenancy.

Based on the above, I dismiss this application for lack of jurisdiction.

Dated February 19, 2009.