



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

Dispute Codes: MNR, MNDC, AAT, RPP, FF

## Introduction

This matter dealt with an application by the Landlords for a monetary order for unpaid rent and utilities, for compensation for damage or loss under the Act or tenancy agreement and to recover the filing fee for this proceeding. The Tenants applied for a monetary order for compensation for damage or loss under the Act or tenancy agreement, and for an order that they be allowed access to the rental unit to retrieve their personal property.

## Issue(s) to be Decided

1. Are there arrears of rent or utilities and if so, how much?
2. Are the Landlords entitled to compensation for damages?
3. Are the Tenants entitled to compensation for damages?
4. Is it necessary to make an order that the Landlords allow the Tenants access to the rental unit to obtain their personal possessions?

## Background and Evidence

At the beginning of the hearing, the Parties' agreed that the Landlords own the rental property and that they shared kitchen facilities with the Tenants during the tenancy.

## Analysis

Section 4 (c) of the Act says that the Residential Tenancy Act "does not apply to living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation." In the circumstances, I find that I have no jurisdiction to hear the Parties' respective applications and accordingly, they are dismissed.

## Conclusion

The Parties' applications are dismissed due to lack of jurisdiction.