

DECISION

Dispute Codes MNDC

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant to obtain a Monetary Order for money owed or compensation for damage or loss under the Act.

Preliminary Issues

At the onset of the hearing the Tenant testified that the tenancy was for “transitional housing” where people who are recently released from jail or from a treatment program resides at this shelter while transitioning back into the normal stream.

The Tenant and his advocate argued that the tenancy could not be deemed transitional shelter housing because the Landlord was not registered on the transitional housing website.

Analysis

Based on the Tenant’s testimony and evidence I find that the Tenant was residing in a transitional house whereby he was subject to urine tests in order to sustain his tenancy. Section 4(f) of the *Residential Tenancy Act* states that, among other things, the *Act* does not apply to living accommodation provided for emergency shelter or transitional housing and based on the aforementioned I find that the *Residential Tenancy Act* does not apply.

Conclusion

I HEREBY DISMISS the application, for want of jurisdiction and the Applicant is advised to seek out and make application with the appropriate court.

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: August 24, 2009.

Dispute Resolution Officer