

DECISION

Dispute Codes MNSD

Introduction

This matter dealt with an application by the tenant for the return of double the security deposit.

I have carefully reviewed the evidence presented and have concluded from the evidence presented that this living accommodation was occupied as vacation accommodation. The agreement in place is clearly headed Vacation Rental Property License to Occupy and the landlord confirms that she has always rented the unit as a vacation rental. Section 4(e) of the *Residential Tenancy Act (Act)* states: *The Act does not apply to living accommodation occupied as vacation or travel accommodation.*

Consequently, I decline jurisdiction in this matter pursuant to section 4(e) of the Act and the tenants' application is dismissed without leave to reapply.

The tenant is at liberty to seek remedy in another venue

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: April 28, 2010.

Dispute Resolution Officer