



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes FF, MNDC

Decision and reasons

No hearing was held, because the Residential Tenancy Act has no jurisdiction over this matter.

Section 4(c) of the residential tenancy act states:

4 This Act does not apply to

(c) living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation,

In this case both sides stated that the tenant shares the stove in the kitchen of the rental property with the owner.

Therefore since the tenant is sharing the kitchen facilities, at least in part, with the owner/landlord, the Act does not apply to this tenancy.

Conclusion

I have declined jurisdiction over this matter and the parties must look to some other jurisdiction to resolve their dispute.

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: September 16, 2010.

Dispute Resolution Officer