



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes: OLC; RP; PSF; LRE; FF

Introduction

This Hearing was scheduled to hear the Tenant's application for Orders that the Landlord make repairs to the rental unit, comply with the Act, regulation or tenancy agreement and provide services or facilities required by law; an Order suspending or setting conditions on the Landlord's right to enter the rental unit; and to recover the cost of the filing fee from the Landlord.

This application was scheduled to be heard via teleconference on March 15, 2011, at 1:30 p.m. The Landlord signed into the conference on time and was ready to proceed, however by 1:40 p.m., the Tenant had not yet signed into the teleconference. Therefore, the Tenant's application is dismissed without leave to re-apply.

It is important to note that the Landlord testified that he owns the rental unit and that he shares the use of the kitchen with the Tenant. Section 4(c) of the Act states 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.

Conclusion

The Tenant's application is dismissed without leave to re-apply.

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: March 17, 2011.
