



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

**Dispute Codes:** MNDC and FF

### Introduction

By application dated November 23, 2010, the applicant/tenant seeks a Monetary Order for \$2,550 for damage or loss on the grounds that the claims resulted from a breach of the legislation or rental agreement by the landlord.

The applicant was employed by Simon Fraser University during the summer and early fall of 2010 to help manage a marine field research project in the central coast area of British Columbia and the rental unit in question was operated by the university. He was asked to vacate the living accommodation when this employment was terminated.

The respondent submitted that the housing arrangement was outside the jurisdiction of the *Act*.

Section 4 of the *Act* sets out types of accommodation which are excluded from the jurisdiction of the *Residential Tenancy Act* and includes: “(b) living accommodation owned or operated by an educational institution and provided by that institution to its students or employees.”

The applicant submits that the tenancy was not subject to this exclusion on the grounds that his employment contract and the included accommodation were not under the auspices of the university but were made pursuant to a specific research grant to the respondent.

However, a copy of the agreement submitted by the university’s Human Resources Department shows that it was between the applicant and the university.

**Conclusion**

Therefore, I must decline to accept jurisdiction in this matter.

April 6, 2011