

## **DECISION**

Dispute Codes      MNDC, FF

This is an application filed by the Tenant for a monetary order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement and recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony.

At the beginning of the hearing, the Landlord/Owner stated that this was a shared accommodation in which the Tenant rented a bedroom only and shared a kitchen and bathroom. The Tenant disputes this. Both parties agree that there is no signed Tenancy Agreement by both parties. The Landlord did not submit any evidence, but refers to the copy of the unsigned Tenancy Agreement (by the Tenant), which states in section 1, "The tenant acknowledges that the rental is for exclusive use of their bedroom only. Shared usage of the kitchen and one bathroom is granted." When asked if she had any evidence that this was not a shared accommodation, a message that the Tenant was leaving the conference call at 9:42 AM was announced. The Landlord was still present and was asked to stay on hold to wait if the Tenant would call back in. At 9:46 AM, no call back was made by the Tenant. At this time, the Tenant's Application for dispute resolution was dismissed without leave to re-apply.

### **Conclusion**

The tenant's application was 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: October 17, 2011.

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Residential Tenancy Branch