



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNDC

Introduction

This hearing dealt with an Application by the tenant seeking a Monetary Order for money owed or compensation for damage or loss under section 67 of the Act.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained. The participants had an opportunity to submit documentary evidence prior to this hearing, and present affirmed oral testimony during the hearing. I have considered all of the evidence..

Preliminary Matter

At the outset of the hearing the landlord testified that he was the owner of the residence and that the tenant occupying a portion of the unit shared the kitchen and bathrooms.

Section 4(c) of the Residential Tenancy Act states that the Act does not apply to the following: **(c) living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation**, *(my emphasis)*

Given the above, I find that this tenancy relationship is not one that is governed by the Act and I therefore lack any authority to hear or consider this application.

I hereby decline to hear this application on the basis that I lack statutory jurisdiction.

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: May 06, 2013

Residential Tenancy Branch