



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC RPP

Introduction

This hearing dealt with an application by the tenant for monetary compensation and return of personal property. The tenant and an agent for the landlord participated in the teleconference hearing.

The landlord confirmed that he received the tenant's application, and the tenant confirmed that he received the landlord's documentary evidence.

Preliminary Issue – Jurisdiction

At the outset of the hearing, the landlord raised the issue of jurisdiction. The landlord submitted that I did not have jurisdiction to hear this matter under the *Residential Tenancy Act*, as the housing in which the tenant resides meets the definition of transitional housing. The landlord stated that tenants may only reside in this housing for a maximum of 24 months or until they turn 25 years old, whichever comes sooner. The tenants are expected to be employed, in school or part of a program that provides the tenants with some support in the community. The tenants are bound by several rules, set out in the landlord's handbook, which do not fall under the scope of the *Residential Tenancy Act*, such as meeting with their house worker every week to discuss their goals and the upkeep of the building and their suite; meeting with their transition worker regularly; and attending all housing and/ or life skills workshops or groups as directed by the tenant's housing worker.

Upon consideration of the landlord's submissions and evidence, I am satisfied with the landlord's evidence that this housing arrangement has several characteristics, such as rules to meet with house workers and transition workers and attend workshops, which define the housing as transitional housing. Therefore, I find do not have jurisdiction in this matter, and the tenant therefore may not seek remedy under the *Residential Tenancy Act*.

Conclusion

I decline jurisdiction to hear this matter.

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: June 18, 2013

Residential Tenancy Branch