



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD, FF

Introduction

This hearing dealt with an Application for Dispute Resolution with the applicant seeking a monetary order.

The hearing was conducted via teleconference and was attended by the applicant

The applicant testified the respondent was served with the notice of hearing documents and this Application for Dispute Resolution, pursuant to Section 59(3) of the *Residential Tenancy Act (Act)* by registered mail on May 24, 2013 in accordance with Section 89. As per the applicant's testimony he confirmed that the landlord had signed for receipt of the documents on May 27, 2013.

Based on the testimony of the applicant, I find that the respondent has been sufficiently served with the documents pursuant to the *Act*.

At the outset of the hearing the applicant indicated that the rental agreement was that he would be renting a room in the residential property and he would be sharing the kitchen and bath with the landlord.

Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to a monetary order for return of the security deposit and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 38, 67, and 72 of the *Act*.

Analysis

Section 4 of the *Act* outlines specific agreements that are not covered by the *Act*. The section identifies that living accommodation in which the tenant shares bathroom or kitchen facilities with the landlord is not governed by the *Act*.

Conclusion

For the above noted reason, I decline jurisdiction on these matters.

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: August 28, 2013

Residential Tenancy Branch