



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MND, FF

Introduction

This matter dealt with an application by the landlord for damage to the unit, site or property, for unpaid rent and for loss of rental income and to recover the filing fee for this proceeding.

The Applicant said she served the Respondent with the Application and Notice of Hearing (the “hearing package”) by registered mail on March 30, 2012. Based on the evidence of the Applicant, I find that the Respondent was served with the Applicant’s hearing package as required by s. 89 of the Act and the hearing proceeded with both parties in attendance.

At the start of the conference call it was determined that the tenancy agreement was a **Vacation Rental Agreement**. Section 4 (e) of the Act says that the Act does not apply to living accommodation occupied as vacation or travel accommodation. As this agreement clearly states it is a Vacation Rental Agreement the Residential Tenancy Act does not have jurisdiction and I have no authority to decide this matter.

In the absence of evidence to show this is a tenancy agreement under the jurisdiction of the Residential Tenancy Branch, I dismiss the application as I find no authority to decide this matter under the *Residential Tenancy Act*.

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 28, 2013

Residential Tenancy Branch