



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes O FF
 MNDC MNSD

Introduction

This hearing dealt with cross Applications for Dispute Resolution; one filed by each party.

Issue(s) to be Decided

Does this matter fall within the jurisdiction of the *Residential Tenancy Act*?

Background and Evidence

The undisputed testimony was that the occupant had rented a room in the owner's home. She shared the kitchen, bathroom, and laundry with the home owner and has named the home owner as the respondent to her dispute.

Analysis

Section 4 (c) of the *Residential Tenancy Act* stipulates that the *Act* does not apply to living accommodations in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation.

In this case the occupant entered into a room and board agreement to share the occupation of the home with the owner. Based upon the aforementioned, I find that these matters do not fall within the jurisdiction of the *Residential Tenancy Act*, and I declined to hear the application.

Conclusion

I DECLINED to hear these matters, for want of 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: December 03, 2013

Residential Tenancy Branch

