



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      LANDLORD: MNR, MNSD, FF  
TENANT: MNSD

### Introduction

This hearing dealt with cross applications for Dispute Resolution filed by both the Landlords and the Tenant.

The Landlords filed seeking a monetary order for compensation for unpaid rent, to retain the Tenant's security deposit and to recover the filing fee for this proceeding.

The Tenant filed seeking a monetary order for the return of the Tenant's security deposit.

At the start of the conference call the Landlord indicated that she was a part owner of the rental unit and she was sharing the accommodation with the Tenant. The Landlord continued to say the accommodation had a shared kitchen and bathroom.

Under section 4 (c) of the Act the Act says the Act does not apply to living accommodation in which the Tenant shares the bathroom and kitchen facilities with the owner of the accommodation.

Consequently, I do not have jurisdiction to make a finding in this matter. The applicants may want to seek legal advice to determine how to proceed with their claims.

I dismiss the applications as I find no authority to decide this matter under the *Residential Tenancy Act*.

Conclusion

The applications are dismissed for lack 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: January 15, 2014

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Residential Tenancy Branch

