



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, RPP, LRE, OPT, AAT, RR, O

This matter was scheduled for a conference call at 1:30 p.m. on this date. Both parties participated in the hearing. The respondent in this matter is the owner of this property and lives at the subject address. Through extensive discussions with the parties I am satisfied that this is not a landlord – tenant relationship. I find that the owner and applicant occupy different rooms in the home and share the kitchen and washroom. Section 4 of the *Residential Tenancy Act*, addresses what the *Act* does not apply to. It states that the *Act* does not apply to living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation

Following careful consideration of the full circumstances of this dispute, I find that the circumstances of the dispute do not fall within the jurisdiction of the *Act*, and the application must therefore be dismissed. The applicant is at liberty to pursue other remedies under common law.

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: March 11, 2014

Residential Tenancy Branch

