



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, FF, RPP

### Introduction

This is an application for an order for a Monetary Order for \$250.00, and a request for an Order for the landlord to return the tenant's personal property.

A substantial amount of documentary evidence and written arguments have been submitted by the parties prior to the hearing.

The applicant however did not join the conference call that was scheduled for today's hearing; however since the landlord/respondent did appear I dealt with the matter of jurisdiction.

### Issue(s) to be Decided

Does the Residential Tenancy Act have jurisdiction over this dispute?

### Background and Evidence

The landlord testified, and provided evidence that showed, that she owns the rental property, lives in the rental property, and shares the kitchen facilities with the applicant/tenant.

### Analysis

Section 4(c) of the Residential Tenancy Act states:

**4** This Act does not apply to

(c) living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation

It is my finding therefore that the Residential Tenancy Act has no jurisdiction in this matter.

Conclusion

I decline jurisdiction over this dispute.

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: June 04, 2014

---

Residential Tenancy Branch

