



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC MNSD FF

Introduction

This hearing was convened pursuant to an application for recovery of a security deposit and other monetary compensation. The applicant, who identified himself as the tenant, called in to the teleconference hearing, but the respondent, identified as the landlord, did not.

Preliminary Issue – Jurisdiction

The applicant stated that the respondent was the owner of the condo where she resided and where the applicant rented a room. The applicant confirmed that he and the respondent owner shared a kitchen.

The *Residential Tenancy Act* does not apply to living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation. In this case the applicant tenant shared kitchen facilities with the owner, and therefore the Act does not apply.

Conclusion

I decline jurisdiction to hear this matter.

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: July 15, 2014

Residential Tenancy Branch

