



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR, MNR

This hearing was set to hear an application by the landlord for an order of possession and a monetary order. The rental unit is located on reserve lands and both the landlord and the tenant are members of that first nation.

The result of a decision made by the British Columbia Court of Appeal on June 5, 2013, in *Sechelt Indian Band v. British Columbia (Manufactured Home Park Tenancy Act, Dispute Resolution Officer)* 2013 BCCA 2623, is that neither the *Manufactured Home Park Tenancy Act* or the *Residential Tenancy Act* applies to tenancy agreements on reserve lands and property on reserve lands where the landlord is an Indian or an Indian band. Therefore, the Residential Tenancy Branch has no jurisdiction to hear disputes of any nature arising from these tenancy agreements. Accordingly, I have no jurisdiction to make any decision or order regarding 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: January 05, 2015

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Residential Tenancy Branch

