



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND, MNDC, FF

### Introduction

This is an application for a monetary order for \$1460.00 and a request for recovery of the filing fee.

Some documentary evidence, photo evidence, and written arguments has been submitted by the parties prior to the hearing.

I have given the parties the opportunity to present all relevant evidence, and to give oral testimony.

All testimony was taken under affirmation.

### Issue(s) to be Decided

The first issue I dealt with was the issue of jurisdiction.

### Background and Evidence

The applicant/landlord stated that there was never any landlord-tenant relationship between herself and the respondent.

The landlord further stated that she had rented the unit to another person who later brought the respondent in as a co-tenant and they live together in the unit.

The landlord further stated that no rent was ever paid to her by the respondent, nor was a security deposit ever given to her by the respondent, all exchange of money was between the respondent and the original tenant.

Landlord also stated that the respondent actually moved out of the rental unit before her original tenant did, and her tenant subsequently moved out of the rental unit at a later date.

### Analysis

Based on the information provided by the landlord it is my finding that the Residential Tenancy Branch has no jurisdiction over this claim as there is no landlord-tenant relationship between the applicant and the respondent.

The applicants tenant is a different person, and therefore if the applicant believes there is a claim for damages she must file it against her actual tenant.

### Conclusion

I declined jurisdiction over 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: March 17, 2015

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Residential Tenancy Branch

