



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNQ, CNC, CNL, CNLC, CNR, MNSD, FF, O

### Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking to cancel a notice to end tenancy. The hearing was conducted via teleconference and was attended by the tenant and the landlord.

At the outset of the hearing I clarified the tenant's address during the tenancy and landlord's address had been the same and that the tenant and landlord shared the rental unit kitchen and bathroom. Section 4(c) of the *Residential Tenancy Act (Act)* stipulates that living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation is exempt from the *Act*. As the parties share kitchen facilities I find the *Act* does not apply to this tenancy.

### Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to cancel notices to end tenancy; to a monetary order for the security deposit and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 38, 46, 47, 67, and 72 of the *Act*.

### Conclusion

Based on the above, I decline jurisdiction in the matters raised in the tenant's Application for Dispute Resolution. 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: May 12, 2015

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Residential Tenancy Branch

