



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: MNDC OLC LRE OPT RR PSF

### **Introduction**

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act* (the Act) for orders as follows:

- a) For compensation for illegal eviction, confinement in a motel, for eviction without a legal one month's Notice and for registered mail.

Service:

The tenant /applicant gave evidence that they served the Application for Dispute Resolution by registered mail and the landlord agreed they received it. I find the documents were legally served for the purposes of this hearing.

### **Issue(s) to be Decided:**

Has the tenant proved on the balance of probabilities that he was illegally evicted and is entitled to damages? If so, to how much compensation is he entitled?

### **Background and Evidence**

Both parties attended the hearing and were given opportunity to be heard, to provide evidence and to make submissions. The undisputed evidence is that the tenant shared a bathroom and kitchen with the landlord who is also the owner of the home.

### **Analysis and Conclusion:**

Pursuant to the *Residential Tenancy Act* section 4(c), I find I have no jurisdiction in this matter as it is living accommodation in which the tenant shares the bathroom and kitchen facilities with the owner who is the landlord. I dismiss the Application.

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 28, 2015

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Residential Tenancy Branch