



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF
Introduction

The tenant applies to recover an alleged security deposit after the end of the tenancy.

The parties agree that the rental unit composed of a bedroom in a house owned by the landlord and in which she also resides. There are two other bedrooms rented out in addition to the applicant tenant's. All share bathroom and cooking facilities with the landlord.

Section 4(c) of the *Residential Tenancy Act* provides:

- 4 This Act does not apply to
 - (c) living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation,

The *Residential Tenancy Act* does not apply to this living accommodation and so the dispute cannot be resolved in this forum. The application must be dismissed as there is no jurisdiction to hear it. The tenant must seek her remedy in the courts.

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: August 27, 2015

Residential Tenancy Branch

