



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET

### Introduction

This hearing was convened in relation to the landlords' application pursuant to the *Residential Tenancy Act* (the Act) for an order of possession for an early end to tenancy pursuant to section 56.

The tenant did not attend this hearing, although I waited until 1042 in order to enable the tenant to connect with this teleconference hearing scheduled for 1030. The landlord DLP (the landlord) attended the hearing.

The landlord testified that she served the tenant with the dispute resolution package on 18 August 2015 by registered mail to the forwarding address provided by the tenant on 14 August 2015. The landlord provided me with a Canada Post customer receipt that showed the same. On the basis of this evidence, I am satisfied that the tenant was deemed served with the dispute resolution package pursuant to sections 89 and 90 of the Act.

### Preliminary Issue – Jurisdiction

The landlord testified that the tenant occupied a room in her home. The landlord testified that she and the tenant share the kitchen and bathrooms in the residential property. The landlord testified that she owns the residential property.

I find on the evidence before me that the landlord is the owner of the rental unit and that she and the tenant shared kitchen and/or bathroom facilities during this tenancy.

Paragraph 4(c) of the Act excludes jurisdiction over disputes in relation to living accommodations in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation.

On the basis paragraph 4(c) of the Act, I decline jurisdiction over this matter.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: September 15, 2015

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Residential Tenancy Branch

