



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Tit'q'et Administration  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDC MNSD FF

### Introduction

This hearing convened pursuant to the tenant's application for recovery of his security deposit. The tenant called in to the teleconference hearing but the landlord did not.

### Issue – No Jurisdiction on Indian Land

The tenant confirmed in the hearing that the rental unit was located on Indian Land and the landlord is an Indian band. I informed the tenant that as per the BC Court of Appeal decision in *Sechelt Indian Band v. British Columbia (Manufactured Home Park Tenancy Act, Dispute Resolution Officer)*, 2013 BCCA 262, the *Manufactured Home Park Tenancy Act* and the *Residential Tenancy Act* do not apply to tenancy agreements on Indian land where the landlord is an Indian or an Indian Band.

### Conclusion

I have declined jurisdiction to hear 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: October 19, 2015

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Residential Tenancy Branch

