



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      LAT, MNDC, OLC, O, RR

This matter was scheduled for a conference call at 9:30 a.m. on this date. Both parties participated in the teleconference. The landlord who is also the owner of the home occupies one of the rooms. The owner shares a kitchen and washroom with the tenant.

Based on the above facts I find that the owner and tenant occupy different rooms in the home and share the kitchen and washroom. Section 4 of the *Residential Tenancy Act*, addresses what the *Act* does not apply to. It states that the *Act* does not apply to living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation.

The circumstances of the dispute do not fall within the jurisdiction of the *Act*, and the application must therefore be dismissed. The tenant is at liberty to pursue other remedies under common law.

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: November 09, 2015

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Residential Tenancy Branch

