



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

matter regarding ATIRA PROPERTY MANAGERS  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes: OLC AAT MNSD

### **Introduction**

The tenant made the Application for Dispute Resolution and served it on the landlord. However, the tenant did not attend. The tenant applied pursuant to the *Residential Tenancy Act* (the Act) for orders that the landlord obey the provisions of the Act and restrict the landlord's entry to notice periods pursuant to section 29, to allow the tenant and guests access to her suite pursuant to section 30 and to obtain an end to her tenancy and the return of her security deposit.

### **Preliminary Issue:**

The landlord requested that their name be amended on the Application. They provided proof of their legal name. The amendment was granted. The landlord further submitted that I have no jurisdiction under the Act according to section 4(f).

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

Do I have jurisdiction to hear this matter? If so, has the tenant proved on the balance of probabilities that the landlord is entering her suite illegally and taking certain of her items and that they illegally are restricting her and her guests from entering? Is she entitled to an order ending her tenancy and to obtain the return of her security deposit?

### **Background and Evidence:**

The landlord supplied evidence that they are a non profit corporation providing supportive transitional housing program for women who are at risk and who are, or have been impacted by violence and/or abuse. As such, they submit that the Act section 4 provides that the Act does not apply to their housing.

### **Analysis:**

I find section 4 (f) of the Act states that does not apply to living accommodation provided for emergency shelter or transitional housing. I find the weight of the evidence is that the landlord supplies this type of housing and the applicant/tenant is a resident there.

Therefore, I find I have no jurisdiction.

**Conclusion:**

I dismiss the tenant's application as I have no jurisdiction under the Act.

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: March 30, 2016

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Residential Tenancy Branch