Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   MNDC, MNSD, OLC, RPP, AAT, FF

Introduction

This matter dealt with an application by the Tenant for loss or damage under the Act, regulations or tenancy agreement, to recover the security deposit, for the landlord to comply with the Act, regulations and tenancy agreement, to recover personal property, to gain access to the rental unit and to recover the filing fee for this proceeding.

At the start of the conference call it was determined that the Applicant was not a tenant, but an occupant of the rental unit, because the applicant's name is not on the tenancy agreement. Further the Tenant's written statement in evidence says that she was not on the lease. Consequently there is no tenancy contract between the Applicant and the Landlord; therefore I do not have jurisdiction to make a finding in this matter. The applicant may want to seek legal advice to determine how to proceed with her claims.

In the absence of evidence to show there is a tenancy between the Applicant and Respondent the Residential Tenancy Act does not have jurisdiction in this situation. I dismiss the application as I find no authority to decide this matter under the *Residential Tenancy Act.*

Conclusion

The application is dismissed for lack of jurisdiction.

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: September 07, 2016

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Residential Tenancy Branch