



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SELKIRK INN
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This hearing was convened by way of conference call in response to the an application for an Order of Possession for unpaid rent or utilities; for a Monetary Order for unpaid rent or utilities; and to recover the filing fee from the respondent for the cost of this application.

At the outset of the hearing a discussion took place concerning jurisdiction. The respondent did not attend the hearing. The applicant testified that this is a hotel and the respondent checked in as a hotel guest on September 01, 2016. The respondent continued to pay the monthly hotel fees until December when she stopped making any payments.

The applicant testified that as this was a hotel guest arrangement and not a tenancy he did not take a security deposit and did not have a written tenancy agreement with this respondent.

I explained s. 4(e) of the *Residential Tenancy Act* to the applicant which states:

4. *This Act does not apply to*

(e) living accommodation occupied as vacation or travel accommodation

The applicant advised that he will withdraw his application as this agreement was not a residential tenancy agreement.

Conclusion

The applicant withdrew his application at the hearing. No decision was made concerning this matter as it is likely the *Residential Tenancy Act* does not apply in this matter and jurisdiction would likely have been declined.

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: February 15, 2017

Residential Tenancy Branch