



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **ET & FFL**

Introduction

This is an application brought by the Landlord requesting an early end to the tenancy, an Order of Possession, and recovery of the filing fee.

Some documentary evidence, photo evidence, and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all relevant submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All parties were affirmed

Issue(s) to be Decided

The first thing I dealt with was a preliminary matter dealing with jurisdiction.

Background and Evidence

Both the lawyer for the landlord, and the agent for the tenant, stated that this is a family dispute, and that the respondent has never been a tenant of the applicant, never paid any rent for this unit, never paid a security deposit, and there has never been a tenancy agreement, the tenant has simply been sharing a family home.

Analysis

Based on the information provided by both sides in this hearing it is my finding that this is a family dispute and no residential tenancy exists between these parties, I don't believe this arrangement even fits the definition of a license to occupy as it appears the respondent is simply sharing the family home.

It is my decision therefore, pursuant to section 62 of the Residential Tenancy Act, that the Residential Tenancy Act has no jurisdiction over this dispute.

Conclusion

I decline jurisdiction over this dispute.

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 01, 2018

Residential Tenancy Branch