



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes AAT, CNL, LAC, OLC, MNDC, FF

Introduction

The tenant applies for compliance orders and for a monetary award for damage and loss incurred as the result of a claimed wrongful eviction.

At the start of the hearing the tenant requested that his application be dismissed with leave to re-apply because he has important evidence he needs to submit.

Ms. K.O. attended the hearing and indicated that O is not her lawful name but rather an alias she uses on the web. She declined to reveal her lawful name citing a concern for her safety and the safety of her children. She is of the view that the tenant was a mere guest in this accommodation, a portion of a basement shared with others, and so the *Residential Tenancy Act* does not apply to the dispute.

The tenant indicates that he rented a separate suite in the basement, with private, keyed entrance and his own kitchen and bathroom.

I make no determination or finding of fact about these matters. The parties were directed to the information officer services and website of the Residential Tenancy Branch for further direction.

The application is dismissed with leave to re-apply.

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: January 07, 2019

Residential Tenancy Branch