



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **ET FFL**

Introduction

This hearing dealt with an application by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- An order for early termination of a tenancy pursuant to section 56;
- Authorization to recover the filing fee for this application pursuant to section 72.

Both parties attended

Preliminary Issue – Jurisdiction

The landlord provided evidence that this tenancy involves shared kitchen and bathroom between the landlord and the tenant.

As stated in the Act, the Act does not apply in circumstances where the tenant shares bathroom or kitchen facilities with the landlord. The applicable section of the Act states as follows:

What this Act does not apply to

4 This Act does not apply to

[...]

(c) living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation...

Accordingly, I decline to hear this matter as I do not have jurisdiction to do so. The matter is dismissed without leave to reapply.

Conclusion

The application is dismissed without leave to reapply

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: December 06, 2019

Residential Tenancy Branch