



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD

### Introduction

This hearing was convened as a result of the Occupant's Application for Dispute Resolution. The participatory hearing was held, by teleconference, on July 9, 2020. The Occupant applied for the return of her security deposit, pursuant to the *Residential Tenancy Act* (the "Act").

The Occupant attended the hearing but the Owners did not.

### Preliminary and Procedural Matters

During the hearing, it became apparent that jurisdiction may be an issue in this application. As such, I must determine whether or not I have jurisdiction to hear this application. Below is my analysis on the matter.

During the hearing, the occupant stated that she rented a room from the owners of the house. The occupant stated that she had her own toilet, and room, but she shared a shower and a kitchen with the owners, who lived upstairs.

I turn to the following portion of the Act:

### **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

I find the Act does not apply, and I decline jurisdiction on this matter. I dismiss the application, in full, without leave to reapply.

Conclusion

I decline jurisdiction on this matter. The application is dismissed in full 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: July 13, 2020

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Residential Tenancy Branch