



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

This matter was scheduled for a conference call at 9:30 a.m. on this date. The landlord participated in the teleconference, the tenant did not. At the outset of the hearing the landlord advised that the tenant has moved out as a result of the police arresting him after he assaulted the other landlord. JH also raised the issue of jurisdiction as he believes this does not fall under the Residential Tenancy Act. JH advised that the tenant shares a kitchen and bathroom with the owner. Section 4 of the Act addresses the issue brought forward by the landlord 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,

Based on the above and all the information provided by the landlord, I find that the Branch does not have the jurisdiction to hear this matter, accordingly; I dismiss this application in its entirety 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: August 07, 2020

Residential Tenancy Branch