



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT

Introduction

This hearing was convened as a result of the Applicant's Application for Dispute Resolution, made on June 9, 2021 (the "Application"). The Applicant applied for a monetary order for compensation, pursuant to the *Residential Tenancy Act* (the "Act"):

The Applicant and the Respondent attended the hearing at the appointed date and time. At the start of the hearing, the parties confirmed that during the tenancy, the Applicant and the Respondent shared a kitchen and bathroom. The Respondent confirmed that she is the owner of the home and that there is only one kitchen and one bathroom facility.

Preliminary Matters

Section 4(c) of the *Act* confirms that the *Act* does not apply to living accommodation in which the owner shares bathroom or kitchen facilities. In this case, I accept that the parties shared the kitchen and bathroom facilities throughout the tenancy. Accordingly, pursuant to section 4(c) of the *Act*, I find the *Act* does not apply to the agreement between the parties. The Application is dismissed for lack of jurisdiction 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 03, 2021

Residential Tenancy Branch