



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes MNDCT, FFT

Introduction

The Applicant seeks the following relief under the *Residential Tenancy Act* (the “Act”):

- a monetary order pursuant to s. 67 for compensation or other money owed; and
- return of the filing fee pursuant to s. 72.

D.T. appeared as the Applicant. The Respondent did not attend the hearing.

The Applicant affirmed to tell the truth during the hearing. I advised of Rule 6.11 of the Rules of Procedure, in which the participants are prohibited from recording the hearing. I further advised that the hearing was recorded automatically by the Residential Tenancy Branch.

Dismissal of Application

Upon review of the matter, the rental unit address listed in the application was the same address listed for the Respondent.

At the outset of the hearing, I confirmed with the Applicant the rental unit address and enquired whether he shared kitchen and bathroom facilities with the Respondent. The Applicant confirmed that he did and that he was renting a room within the house. The Applicant further advised that, to his knowledge, the Respondent was the owner of the property.

Section 4(c) of the *Act* specifically excludes the application of the *Act* to living accommodations in which a tenant shares a bathroom or kitchen with the owner of that accommodation. I find that the *Act* does not apply given what I have been told by the Applicant.

As the *Act* does not apply, I cannot adjudicate the dispute. I dismiss the application without leave to reapply in its entirety.

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: June 13, 2023

Residential Tenancy Branch