



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNDCT, FFT

Introduction

This hearing was scheduled to convene at 9:30 a.m. on December 5, 2023 concerning an application made by the tenants seeking an order cancelling a notice to end the tenancy for unpaid rent or utilities; a monetary order for money owed or compensation for damage or loss under the *Residential Tenancy Act*, regulation or tenancy agreement; and to recover the filing fee from the landlord for the cost of the application.

The landlord attended the hearing with another person to assist. However, the line remained open while the telephone system was monitored for 10 minutes and no one for the tenants joined the call.

The landlord indicated that the tenants vacated the rental unit on November 10, 2023, having been escorted out by RCMP.

The landlord also indicated that the *Residential Tenancy Act* does not apply because the tenants shared kitchen or bathroom with the landlord, who is the owner.

The *Act* specifies that the *Act* does not apply to tenancies where the tenant shares kitchen or bathroom with the owner. Therefore, I decline jurisdiction.

Conclusion

For the reasons set out above, I decline jurisdiction with respect to the application made by the tenants.

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 05, 2023

Residential Tenancy Branch