



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## DECISION

### Dispute Codes:

**MNDC, 70**

### Introduction

This hearing was scheduled in response to the tenant's Application for Dispute Resolution, in which the tenant made application for compensation for loss of personal property and an order returning his property.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained, evidence was reviewed and the parties were provided with an opportunity to ask questions about the hearing process. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present affirmed oral testimony and to make submissions during the hearing.

### Preliminary Matter

At the start of the hearing I determined that the tenant had been living in a home in which he shared the bathroom and kitchen with the owner of the home. Section 4 of the Act determines that the Act does not apply in cases where a tenant shares a kitchen or bathroom with the owner of the accommodation.

Therefore; I found that the tenant's Application could not be heard, as the Act does not apply to this tenancy arrangement.

### Conclusion

The tenant's Application is based upon a tenancy arrangement to which the Act does not apply. Therefore, this application was not heard.

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: March 26, 2010.

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Dispute Resolution Officer