

## DECISION

Dispute Codes      MNSD

### Introduction

This is an application filed by the Tenant for a monetary order for the return of double the security deposit.

The Landlord has responded to the Tenant's claim by filing evidence which state that the tenancy is not governed by the Residential Tenancy Act because it is Transitional Housing which is excluded from the Act pursuant to Section 4 (f) living accommodation provided for emergency shelter or transitional housing. The Tenant disputes this, but has not provided any evidence or testimony to contradict the Landlord's claim. Based upon the Landlord's evidence of a "Transitional Tenancy Agreement" and a "Safe and Supportive Transitional Housing Policies" documents which were signed by the Tenant, I am satisfied that this Tenancy is subject to Transitional Housing and is not subject to the Residential Tenancy Act. I dismiss the Tenant's application for lack of jurisdiction.

### Conclusion

The Tenant's application is dismissed for lack of jurisdiction.

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: July 12, 2011.

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Residential Tenancy Branch