



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

Introduction

This is an application brought by the tenant requesting a monetary order in the amount of \$1345.00

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all relevant submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All parties were affirmed

Jurisdiction

At the beginning of the conference call the parties testified that the landlord owns and lives in this rental unit and shares the kitchen with the tenant.

Section 4(c) of the Residential Tenancy Act states:

4 This Act does not apply to

(c) living accommodation in which the tenant shares bathroom or kitchen facilities with the owner of that accommodation,

Therefore, in this case, since the parties agree that the owner shares the kitchen with the tenant, the Residential Tenancy Act does not apply to this tenancy.

It is my decision therefore, pursuant to sections 4 and 62 of the Residential Tenancy Act, that I will not hear this case

Conclusion

The Residential Tenancy Act does not apply to this tenancy, and I therefore decline 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 26, 2017

Residential Tenancy Branch