



# **Dispute Resolution Services**

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## **DECISION**

**Dispute Codes:** OPR, MNR, MNSD and FF

### **Introduction**

This application was brought by the landlord on February 25 2009 seeking an Order of Possession pursuant to a 10-day Notice to End Tenancy for unpaid rent served on February 12, 2009.

The landlord also sought a Monetary Order for the unpaid rent and filing fee for this proceeding and authorization to retain the security deposit in set off against the balance owed.

As a matter of note, the landlord advised at the commencement of the hearing that the tenant had vacated at the end of February.

The landlord further advised that the rental unit was one of a number of single rooms in this strata property that were rented solely as office space.

The tenant had lived in the same building, but his residential apartment was owned by another landlord.

**Analysis**

Section 4(d) of the *Act* excludes from the jurisdiction of the *Act* accommodation which is primarily occupied for business purposes.

Therefore, I find that the subject tenancy does not fall within the purview of the Residential Tenancy Act and the application is dismissed without leave to reapply for want of jurisdiction.

April 17, 2009

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Dispute Resolution Officer