



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      MNSD & FF

### Introduction

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

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by hand on April 17, 2009 but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issues(s) to be Decided

This is a request for an order for the landlords to pay double the \$1000.00 security deposit to the tenant for a total of \$2000.00

### Decision and reasons

The applicant testified that they entered into a verbal, rent to purchase, agreement with the landlord with an agreement to pay \$1000.00 as a deposit and to make monthly payments of \$1300.00 per month, the full amount of which would be taken off the purchase price of \$295,000.00.



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The Residential Tenancy Act only applies to residential tenancy and does not apply to purchase agreements and although the tenant stated this was a rent to purchase agreement it is still considered a purchase agreement and therefore does not fall under the jurisdiction of the Residential Tenancy Act because the applicants have more of an interest in the dispute property than that of the tenant.

I therefore decline jurisdiction and will not hear the merits of this case.

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: May 26, 2009.

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Dispute Resolution Officer