



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This was a hearing with respect to the tenant's application to cancel a Notice to End Tenancy for cause. The hearing was conducted by conference call. The landlord called in and participated in the hearing. The tenant did not attend although this was the hearing of his application. The hearing was kept open for 10 minutes, but the tenant did not call in during that period.

Issue(s) to be Decided

Should the Notice to End Tenancy be cancelled?

Background and Evidence

The rental unit is a garage in Surrey. The evidence established that it was not rented as living accommodation, although the tenant may have used it as living accommodation from time to time. According to the landlord, the tenant has now vacated the garage.

Analysis

The *Residential Tenancy Act* states that "rental unit" means living accommodation rented or intended to be rented to a tenant. I find that the garage that is the subject of

this dispute is not living accommodation and therefore it is not a tenancy that is governed by the provisions of the *Residential Tenancy Act*.

Conclusion

The application is dismissed for want 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: June 25, 2014

Residential Tenancy Branch

