



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, MNR, MNDC, OLC, ERP, PSF, AAT, FF

This hearing was set to hear the tenant's application for a variety of orders. Both parties appeared. At the beginning of the hearing both parties confirmed that the rental unit in question is a shop, not a residence; that it is not intended as a residence; and the tenant and his family do not live there.

The Residential Tenancy Branch has been created by statute, the *Residential Tenancy Act*, and can only hear and resolve disputes that are within the jurisdiction created by the statute.

Section 2 of the *Act* states that the legislation only applies to tenancy agreements, rental units and other residential property. It defines "tenancy agreement" as an agreement, whether written or oral, express or implied, between a landlord and a tenant respecting possession of a rental unit, use of common areas and services and facilities, and includes a licence to occupy. "Rental unit" is defined as living accommodation rented or intended to be rented to a tenant.

As this agreement does not relate to living accommodation rented or intended to be rented to a tenant the Residential Tenancy Branch does not have jurisdiction over this dispute.

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: September 19, 2014

---

Residential Tenancy Branch

