



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, RR, FF

This matter was scheduled for a conference call at 9:00 a.m. on this date. Both parties participated in the teleconference. Both parties advised that the applicant was to make monthly payments to the respondent for the purchase of the home. Both parties confirmed that the agreement has always been a purchase agreement. Residential Policy Guideline 27 addresses this issue as follows:

If the relationship between the parties is that of seller and purchaser of real estate, the Legislation would not apply as the parties have not entered into a "Tenancy Agreement" as defined in section 1 of the Acts. It does not matter if the parties have called the agreement a tenancy agreement. If the monies that are changing hands are part of the purchase price, a tenancy agreement has not been entered into.

Based on the guideline and the testimony of the parties, I decline to make a finding on this matter as I do not have the jurisdiction to deal with it.

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: April 21, 2015

Residential Tenancy Branch

