



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, OPC, MND, MNDC, MNR, CNC, RR

Introduction

This decision deals with two applications for dispute resolution, one brought by the tenant(s), and one brought by the landlord(s). Both files were heard together.

Issue(s) to be Decided

I first dealt with the issue of jurisdiction.

Analysis

It is my finding that the Residential Tenancy Act does not have jurisdiction over these claims, because this is not strictly a residential tenancy, as it also has a commercial aspect.

As part of this tenancy agreement the tenants have been supplied with the use of all the farm equipment, and it has been agreed that the tenants are allowed to farm the property.

Further in the tenancy agreement it also states that the tenants are required to carry rental/farm insurance.

Therefore it's my finding that this is not just a residential tenancy agreement, it is also a commercial tenancy agreement allowing the tenants to use the property to run a business.

Conclusion

Since this is more than just a residential tenancy, I declined jurisdiction over this matter.

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 27, 2015

Residential Tenancy Branch

