



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC

Introduction

This was a hearing with respect to an application by the landlord for a monetary award. The hearing was conducted by conference call. The tenant called in and participated in the hearing. The landlord did not attend although the hearing was kept open for more than 10 minutes after the scheduled start time

Issue(s) to be Decided

Is the landlord entitled to a monetary award and if so, in what amount?

Background and Evidence

The rental unit is a commercial property in Hope. The landlord submitted a copy of a commercial lease agreement. The agreement does not name the applicant as landlord; the landlord named in the agreement is a corporate entity and an individual, "H.L."

The agreement states that the premises shall be used for the purposes of a restaurant, but the tenant testified that the premises were used as a flooring store. The tenancy has ended.

Analysis and conclusion

The applicant did not attend this hearing. The *Residential Tenancy Act* does not apply to commercial tenancies. I have no jurisdiction to hear this application. Accordingly the application is dismissed without leave to reapply.

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 27, 2016

Residential Tenancy Branch