



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: AAT MNDCT OLC OPT PSF FFT

Introduction

This hearing was convened in response to an application by the *tenant*.

The applicant of this matter and the respondent's representative attended the hearing.

Preliminary matters

The applicant presented evidence that they have a *storage park tenancy agreement* with the owner of the commercial storage establishment where the applicant stores a boat and their tools. The tenant presented they occasionally have stayed overnight in their boat stored at the facility for reasons of convenience or security of their property.

I found that the applicant presented that they are renting storage space in a commercial facility for which they have a commercial lease from the facility. The storage unit is not and is not licensed for residential purposes. The applicant's own boat in storage is the applicant's property and not a rental unit for living accommodations. There is no tenancy agreement in place for living accommodations. The applicant has a commercial contract to rent storage space for their boat and tools. I find that the mere fact the applicant determined to periodically stay in their stored boat does not create a tenancy for living space which would be governed by the *Residential Tenancy Act* (the Act) or *Manufactured Home Park Tenancy Act*.

I am satisfied that the tenant occupies a commercial storage site with a commercial storage tenancy agreement and that their periodic occupation of their boat as their living arrangement is not subject to jurisdiction under either of the above Acts. As a result I must decline jurisdiction with the effect that the tenant's application **is dismissed**, without leave to reapply.

Conclusion

The application is **dismissed for want of jurisdiction.**

This Decision is final and binding.

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: October 23, 2018

Residential Tenancy Branch