



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Reliance Properties Ltd.  
and [tenant name suppressed to protect  
privacy]

## **DECISION**

Dispute Codes      RR, FF

### Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order for a rent reduction - Section 65; and
2. An Order to recover the filing fee for this application - Section 72.

The Parties were each given full opportunity under oath to be heard, to present evidence and to make submissions.

### Issue(s) to be Decided

Does the Act apply to the accommodation?

### Background and Evidence

The Tenant confirms that there is a written tenancy agreement for the dispute unit that is a live work space occupied 100% for business purposes. No copy of that agreement was provided as evidence. The Tenant states that it operates an online media business at the unit and while there is no storefront, clients are seen at the unit.

### Analysis

Section 4(d) of the Act provides that the Act does not apply to living accommodation included with premises that are primarily occupied for business purposes and are rented under a single agreement. Given the Tenant’s undisputed evidence of a written

agreement with occupation for only business purposes, I find that the Act does not apply to the accommodation. I therefore dismiss the application.

Conclusion

The Act does not apply to the accommodation.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: March 23, 2020

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Residential Tenancy Branch