



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

A matter regarding PROGRESSIVE HOUSING SOCIETY  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR, MNDCT, RP, LAT, OLC

### Introduction

The Applicant sought dispute resolution regarding a program termination notice he received from Progressive Housing Society for unpaid rent.

### Preliminary Issue: Jurisdiction under the Act

Section 4(f) of the Act states that the Act does not apply to living accommodation provided as transitional housing. “Transitional housing” is defined in section 1 of the Act as living accommodation that is:

1. provided on a temporary basis,
2. from a person or entity that receives funding from a governmental entity for the purposes of providing that accommodation; and,
3. provided together with a program intended to assist program participants to better be able to live independently.

The parties entered into a Program Agreement effective February 1, 2021. A copy of the parties’ Program Agreement was submitted by Progressive Housing. Under the terms of the agreement, the Applicant is a “program participant” in Progressive Housing’s support services program. The program provides life skill assistance to the participant with the objective of restoring the participant to productive independence. Housing is provided to the program participant in recognition of the need for stability while the individual receives support services. Participation in the program may be terminated in the event the participant fails to abide by the agreement or has achieved independence.

Testimony from Progressive Housing's agent during the hearing confirmed that the accommodation provided the applicant meets the criteria of "transitional housing" under the Act.

Therefore, all matters concerning the Program Agreement, including the provision of accommodation, is beyond the jurisdiction of the Act and an arbitrator's authority to adjudicate.

### Conclusion

The application is dismissed for lack of jurisdiction.

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: July 10, 2023

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Residential Tenancy Branch