

DECISION

Introduction

This hearing dealt with the Applicant's Application for Dispute Resolution under the *Residential Tenancy Act* (the Act) for:

- cancellation of the Landlord's 10 Day Notice to End Tenancy for Unpaid Rent (10 Day Notice) and an extension of the time limit to dispute the 10 Day Notice under sections 46 and 66 of the Act
- an order regarding the Tenant's dispute of a rent increase by the Landlord under section 41 of the Act
- an order requiring the Landlord to comply with the Act, regulation or tenancy agreement under section 62 of the Act

This hearing dealt with the Respondent's Application for Dispute Resolution under the *Residential Tenancy Act* (the Act) for:

- an Order of Possession based on a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (10 Day Notice) under sections 46 and 55 of the Act
- a Monetary Order for unpaid rent under section 67 of the Act
- authorization to recover the filing fee for this application from the Tenant under section 72 of the Act

Preliminary Matters

The Respondent provided a copy of a tenancy agreement with a commencement date of June 1, 2024. Both the Applicant and Respondent signed the tenancy agreement.

The Applicant testified that they occupy the unit and that it is also occupied for business purposes.

Section 4(d) of the Act states the following:

The Act does not apply to living accommodation with premises that

- (i) are primarily occupied for business purposes, and
- (ii) are rented under a single agreement,

Based on the evidence, the testimony of the parties, and on a balance of probabilities, I find the Act does not apply to the relationship between the parties and in accordance

with Section 4(d) of the Act. The Respondent signed a tenancy agreement with a corporation, not an individual. Furthermore, the Applicant resides in the unit and the unit is also occupied for business purposes.

Conclusion

The Act does not apply to the relationship between the parties. The applications are 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 Act.

Dated: January 14, 2026

Residential Tenancy Branch