



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC and MNSD

Introduction

This hearing was convened on the landlord's application of August 2, 2012 seeking authorization to retain a portion of the tenant's security deposit in set off against rent claimed for the period from July 1 to July 18, 2012 and for the use of furnishings removed in error from the rental unit.

Clause 4 of the Rental Agreement submitted into evidence sets out the permitted use of the rental unit as follows:

“The Tenant shall use the Premises only for the purpose of general office, storage of excess inventory, shipping and receiving of small orders, and for no other purposes whatsoever.”

The parties concur that the rental unit was used exclusively for business purposes.

Section 4 of the *Act* sets out types of tenancies which are not within the jurisdiction of the *Act* and includes accommodation used for business purposes. For that reason, I must find that this is a commercial tenancy and decline 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: October 16, 2012.

Residential Tenancy Branch