

# Am I Covered by the Residential Tenancy Act (RTA)?



TENANT RESOURCE & ADVISORY CENTRE

Unit #150-900 Howe St  
Vancouver, BC V6Z 2M4

1-800-665-1185  
tenants.bc.ca

## Covered

**Primary rental housing and secondary suites**  
e.g. rented apartments, houses, and basement suites.

**Illegal suites**  
e.g. units that don't meet city bylaws or aren't registered with the city.

**Sublets** where you rent a unit from a tenant who temporarily moves out. The original tenant(s) become your landlord and give you exclusive occupancy of the unit.<sup>1</sup>

**Subsidized housing**  
e.g. BC Housing, non-profit housing, or private rentals subsidized through programs like SAFER.

**Supportive housing**<sup>2</sup>  
Note: Sections of the RTA covering guests, landlord entry, and quiet enjoyment do not apply.

**Single room occupancy buildings and hotels (SRO)**  
if this is your primary and permanent home.

**Verbal or "implied" tenancies**  
e.g. if you don't have a written contract but agreed to the tenancy in conversation. A tenancy agreement can be stated in writing, discussed verbally, or implied.

**Co-op housing** rented by a co-op member to non-member.

**Mobile homes** if you're renting both the home and the land it sits on.

**Units in a strata property** rented by a strata owner to a tenant e.g. condos and townhouses. Also covered by the Strata Property Act.

## Not Covered

**Rental in which you share a kitchen and/or bathroom with your landlord.**

**Occupants** who are not listed on the tenancy agreement but are sharing the unit with one or more tenants.

**Student and employee housing** provided by a college or university.

**Emergency shelters and transitional housing.**<sup>3</sup>

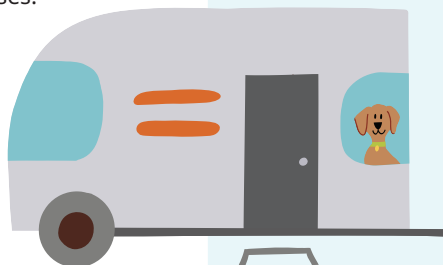
**Housing based health facilities** that provide hospitality support services and personal health care.<sup>4</sup>

**Housing provided during rehabilitative or therapeutic treatments or services.**<sup>5</sup>

**Accommodation included in space primarily occupied for business purposes and under a single agreement.**  
e.g. if you rent a unit for a business and use part of the property for accommodation.

**Co-op housing** rented by the co-op to a member of the co-op.

**Mobile homes** if you rent the land but own the home. In this case you're covered by a separate law called the Manufactured Home Park Tenancy Act.





How do I know what my housing type is and if it's covered by the RTA?

Your housing type is determined by definitions in the RTA, not what your landlord or tenancy agreement says.

## Key Definitions

### Landlord

A person or company that owns a building and rents it out to a tenant.

This includes property managers or an "agent" hired by the landlord to maintain the building.

### Residential Tenancy Act (RTA)

The law governing the rights and responsibilities of landlords and tenants in BC.

Landlords and tenants who are covered under this law **cannot opt out**.

### Residential Tenancy Branch (RTB)

The BC government department that enforces the RTA and rules on disagreements between landlords and tenants.

If your landlord isn't following the law, you can apply for Dispute Resolution at the RTB.

#### For More Information

- 1 See RTB Policy Guideline 19 for more information on sublets and occupants.
- 2 Refer to the Residential Tenancy Regulation (RTR) 2.1 for definitions on supportive housing.
- 3, 4, 5 See RTB Policy Guideline 46 for information on transitional housing, housing-based health facilities, and housing provided during rehabilitative services.
- 6 See RTB Policy Guideline 27 Sections D and E for more information on RTA jurisdiction on reserve and treaty lands.

## Tenant Rights on Reserve & Treaty Lands

### Does the RTA apply to housing on reserve land?<sup>6</sup>

**In most cases, no.** First Nations and bands create and administer their own tenancy laws. Band housing policies usually only cover housing rented from the band. The RTA does not apply even if the parties agree to apply it or use RTB forms.

**Exception:** Under the Squamish Nation Residential Tenancy Regulations, the RTA can be applied to specific units on reserve lands belonging to the Squamish Nation.

For more information about tenants' rights on reserves, contact: Bella Coola Legal Advocacy Program at (250) 982-2110 or Indigenous Community Legal Clinic at (604) 822-1311.

### Does the RTA apply to housing on Treaty Lands where laws are established by the Nation?

#### RTA applies with some modification:

Toquaht Nation

Huu-ay-aht First Nations

Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations

#### RTA applies without modification:

Yuułuꞵilꞵath (referred to in the Maa-nulth First Nations Final Agreement as the Ucluelet First Nation)

Uchucklesaht

Tsawwassen Nation

Nisga'a Nation

#### RTA doesn't apply:

Tla'amin Nation

TRAC receives ongoing support from:

English



Department of Justice  
Canada

Ministère de la Justice  
Canada

This is general information that applies to British Columbia, Canada. TRAC cannot guarantee that it is current or complete. This fact sheet is not meant as legal advice for specific legal problems. Use at your own risk and consult a lawyer if you need legal advice. V1 July, 2025.