

 CONSUMER PROTECTION BC	Operation of Licensed Business from a Residential Location Policy and Procedures	Version: OP.2021.1.0 Modified: 18 June 2021 Approved: April 28, 2021
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1.0 Purpose

This document sets out the policy Consumer Protection BC will follow for applicants and licensees who are proposing to operate their business from a residential location.

2.0 Definitions

Licence means a licence issued by Consumer Protection BC under section 145 of the *Business Practices and Consumer Protection Act*, section 55 of the *Cremation, Interment and Funeral Services Act* and section 8 of the *Motion Picture Act* and includes a renewal of the licence.

Conduct business means, an entity that is carrying on business in British Columbia if

- a) its name, or any name under which it carries on business, is listed in a telephone directory
 - i. for any part of British Columbia, and
 - ii. in which an address or telephone number in British Columbia is given for the entity,
- b) its name, or any name under which it carries on business, appears or is announced in any advertisement in which an address or telephone number in British Columbia is given,
- c) it has, in British Columbia,
 - i. a resident agent, or
 - ii. a warehouse, office or place of business, or
- d) it otherwise carries on business in British Columbia.

Licensed location means the location at which the applicant or licensee conducts business and is therefore required to maintain a licence.

Publish means to make publicly available in a communications channel such as website, social media, or sharing publicly with media.

3.0 Policy Statement

Consumer Protection BC will:

- 3.1 Require that all applicants and licensees proposing to operate from a residential location complete a statutory declaration of residential address.
- 3.2 Require that all applicants and licensees proposing to operate from a residential location obtain evidence of a municipal licence authorizing the operation of a business from the residential location, unless written documentation from the municipality is supplied indicating that municipal business licence is not issued in the jurisdiction.
- 3.3 Require that all applicants and licensees proposing to operate from a residential location have a distinct and identified area in the residence from which the business will be operated. This area is in the location specified in the application for licence and must be suitable for the purpose of operating a business.

- 3.4 Require that all applicants and licensees operating from a residence to prominently display their licence in their location consistent with the “Display of Licence” requirements in any associated Regulation.
- 3.5 Require that all applicants and licensees proposing to operate from a residential location maintain all business records and information of the business in the identified area.
- 3.6 Require that all applicants and licensees proposing to operate from a residential location undertake to maintain, and to publicly disclose, a separate directory-listed business telephone number to consumers.
- 3.7 Require that all applicants and licensees proposing to operate from a residential location to publicly disclose the residential address and other contact information of the identified location to consumers.
- 3.8 Not accept a post office box as an acceptable form of residential address.
- 3.9 Require that all applicants and licensees proposing to operate from a residential location provide any Consumer Protection BC representative prompt physical access to the identified location for lawful purposes related to the administration and enforcement of the *Business Practices and Consumer Protection Act* and *Cremation, Interment and Funeral Services Act*.
- 3.10 Publish on its website and in other materials as required, the licensed residential or commercial address of the applicant or licensee where that location is identified as the physical location for the business. Contact information including phone number for businesses may also be published.

4.0 Rationale

The intention of this policy is to affirm that Consumer Protection BC has a statutory duty to acquire, monitor, and disclose, in the public interest, the location from which licensed businesses operate.

This acquisition, monitoring, and disclosure provides the public with confidence and certainty respecting the legitimacy of business operations. Where a consumer has a specific issue with a business, is unable to determine its location through direct communication, and is required to serve or deliver documents, notices or other statutory materials to the licensed business, Consumer Protection BC will provide, either directly or via its website, address information so the consumer has clear access to the location.

This policy also acts as confirmation that Consumer Protection BC can exercise its inspection powers related to residential locations under the various Acts and regulations delegated to it.

5.0 Procedures

- 5.1 Applicants intending to operate from a residential location will disclose in the application forms that the proposed licensed location is from a residence.
- 5.2 Licensing and Information Officers will require that a Statutory Declaration for a Residential Address be completed as part of the application.
- 5.3 The Statutory Declaration for a Residential Address will be reviewed and approved by the Director as part of the licensing application procedure.
- 5.4 Licensees who intend to move their licensed location from a commercial location to a residential location will be required to complete a Notice of Change form. This form will indicate the proposed change and will require the submission of a supporting Statutory Declaration for a Residential Address.

5.5 The Notice of Change and Statutory Declaration for a Residential Address forms will be reviewed and approved by the Director upon receipt and payment of the appropriate charge.

6.0 Documentation

[*Business Practices and Consumer Protection Act*](#) ss.144, 145, 150(2), and 183(2).

[*Cremation, Interment and Funeral Services Act*](#) ss. 55, 56, and 65

[*Motion Picture Act*](#) ss. 8, and 12

7.0 Authority

[*Business Practices and Consumer Protection Act*](#)

[*Cremation, Interment and Funeral Services Act*](#)

[*Motion Picture Act*](#)