



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION

Dispute Codes: O (Additional rent increase)

Introduction

This application was brought by the landlord seeking authorization to implement an additional rent increase as permitted under section 43(3) of the *Act*.

Section 43(3) of the *Act* permits a landlord to apply for a rent increase beyond the regulated maximum (currently 3.7%) under circumstances specified at Regulation 23. In this instance the landlord's application is based on Regulation 23(1)(a) which provides for such an application where, even after the maximum allowable increase, rent is significantly lower than those of comparable units in the same geographic area.

During the hearing, the landlord gave evidence that, in the townhouse complex in which the subject unit is situated, there are 17 other units. Of these, 13 or 14 are rented at \$650 per month. The subject tenant's rent is \$585 per month which, with the annual allowable increase of 3.7 percent would rise to \$607.59 per month.

The landlord advised that she had taken possession of the property on April 1, 2008, had a large mortgage and that rents closer to market value would assist in maintenance.

The tenant gave evidence that he had lived in the rental unit since 1990 and the landlord concurred that he was an excellent tenant. For that reason, he felt that his tenancy was a lesser burden on the landlord than those which turned over more frequently.

Consent Agreement.

On considering one another's submissions, the parties reached a consent agreement to an increase from \$585 per month to \$625 per month.

As the last rent increase took effect on July 1, 2008, the landlord is hereby authorized to give notice to the tenant of a rent increase to \$625 per month to take effect on July 1, 2009

December February 24, 2008

Dispute Resolution Officer