



# Dispute Resolution Services

Residential Tenancy Branch  
Ministry of Housing and Social Development

## DECISION AND REASONS

### Dispute Code

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### Introduction

This hearing dealt with the landlord's request for an additional rent increase beyond the prescribed amount. None of the tenants appeared even though they were served with notice of this hearing in person on February 9, 2009.

### Issue to be Determined

Is the landlord entitled to an additional rent increase beyond the prescribe amount?

### Background and Evidence

The landlord is seeking a total rent increase of \$25.00 pad rent per site. The landlord confirmed that the last rent increase for each tenant was effective February 1, 2008. All the rental site have the current rent of \$200.00. The rent increase requested by the landlord represents a total increase of 12.5 percent comprised of the prescribe rent increase of 3.7% plus an additional 8.8 percent.

The landlord is seeking the additional rent increase on the basis that significant repairs have been completed that is reasonable and necessary and will not recur within a timeframe that is reasonable for the type of repair.

The landlord submitted evidence confirming that new water lines were installed in October 2007 for the total cost of \$19,420.92. The landlord indicated that the existing water lines were approximately 30 years old and had been deteriorating. She had been completing repairs on these lines; however, they required total replacement. The landlord stated that water lines will not require replacement of at least 25 years.

I received no evidence from the tenants with respect to this application.

### Analysis

Section 39(3) of the *Act* provides that a landlord may file an application for dispute resolution to request a rent increase greater than the prescribed amount. An increase can be granted if the landlord has made significant renovations or repairs.

I am satisfied that the replacement of the water lines represents a significant repair as it maintains the integrity of the manufactured home park and it will not require replacement for a significant number of years. I am also satisfied that the benefit of the repair will be beneficial for more than one year.

I grant the landlord's request for an additional rent increase of 12.5% comprised of the prescribed amount of 3.7% plus the additional increase of 8.8%. The landlord is required to serve each tenant with a three month notice and the rent increase can only take effect after the three month's notice. Each party is to be served with a copy of this decision and Order.

### Conclusion

I have granted the landlord's request for an additional rent increase pursuant to section 36(3) of the *Act*.

Dated April 20, 2009.

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Dispute Resolution Officer