



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## DECISION

Dispute Codes      DRI, FF

### Introduction

This was an application to dispute a rent increase. The hearing was conducted by conference call. The applicant participated in the hearing and was assisted by his son. The respondent did not call in and did not participate although the respondent's representative was personally served with the application and Notice of hearing on December 29, 2010.

### Background and Evidence

The respondent is a not for profit housing cooperative. The applicant is a member of the cooperative and he occupies and rents a townhouse apartment owned by the cooperative. The applicant applied to dispute a rent increase levied by the cooperative on the basis that the rent increase exceeds the amount permitted by the *Residential Tenancy Act*. Section 4 of the *Residential Tenancy Act* provides as follows:

**4** This Act does not apply to

(a) living accommodation rented by a not for profit housing cooperative to a member of the cooperative,

### Analysis and Conclusion

Although the rent increase levied by the respondent is not in the form required by the *Residential Tenancy Act* and it exceeds the amount permitted under the *Act* and

*Residential Tenancy Regulation*, I have no jurisdiction to consider this application because the application concerns living accommodation rented by a not for profit housing cooperative to a member of the cooperative. I therefore dismiss the application without leave to reapply..

Dated: January 18, 2011.

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