



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes DRI

Introduction

This hearing was convened in response to an application by the tenant disputing an additional rent increase above the amount set forth by the Regulations for the year 2013. The tenant appeared in the conference call hearing but the landlord did not.

The submitted landlord's Notice of Rent increase, dated February 25, 2013, proposed to raise the rent 10%. Subsequent to the landlord's Notice to the tenant the landlord applied for an Additional rent increase for the entire residential complex in the amount equivalent to the rent increase proposed for the tenant of this action, and for which application this tenant was also a respondent. The result of the landlord's application was that the landlord's request for a rent increase above the amount set out by Regulation *was dismissed by the resulting Decision dated July 03, 2013.*

Analysis and Conclusion

I find this matter has already been determined in the appropriate forum by the Decision of the landlord's application dated July 03, 2013, and is effectively, *res judicata*. The tenant's application is granted with the result that the landlord's Notice of Rent Increase dated February 25, 2013 *is null and of no effect.*

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Residential Tenancy Act.

Dated: July 16, 2013



Residential Tenancy Branch

RTB-136

Now that you have your decision...

All decisions are binding and both landlord and tenant are required to comply.

The RTB website (www.rto.gov.bc.ca) has information about:

- How and when to enforce an order of possession:
Fact Sheet RTB-103: *Landlord: Enforcing an Order of Possession*
- How and when to enforce a monetary order:
Fact Sheet RTB-108: *Enforcing a Monetary Order*
- How and when to have a decision or order corrected:
Fact Sheet RTB-111: *Correction of a Decision or Order*
- How and when to have a decision or order clarified:
Fact Sheet RTB-141: *Clarification of a Decision or Order*
- How and when to apply for the review of a decision:
Fact Sheet RTB-100: *Review Consideration of a Decision or Order*
(Please Note: Legislated deadlines apply)

To personally speak with Residential Tenancy Branch (RTB) staff or listen to our 24 Hour Recorded Information Line, please call:

- Toll-free: 1-800-665-8779
- Lower Mainland: 604-660-1020
- Victoria: 250-387-1602

Contact any Service BC Centre or visit the RTB office nearest you. For current information on locations and office hours, visit the RTB web site at www.rto.gov.bc.ca