



Residential Tenancy Branch

RTB-136

A matter regarding 465460 BC LTD (CUMBRIAN APARTMENTS)
and [tenant name suppressed to protect privacy]

DECISION

Dispute Code:

ARI

Introduction

This hearing dealt with an application by the landlord, pursuant to Section 43 of the *Residential Tenancy Act*, for approval of a rent increase greater than the amount calculated under the regulations.

This hearing was conducted over three sittings. The landlord and the advocate for the tenant attended all three hearings. Not all the tenants attended every hearing.

The rental units that are the subject of this dispute are located in a three storey apartment building. The tenants are mostly long term tenants. A total of ten tenants were served with a notice of rent increase. All the tenants except the tenant in apartment 304 responded to the increase by requesting an advocate to represent them at the hearings.

Issues to be Decided

Should the landlord be entitled to raise rent in an amount that is greater than what is set out in the *Regulations*? Has the landlord established that current rent is significantly lower than the current rent payable for similar units in the same geographic area?

Background and Evidence

The issues regarding the landlord's request for an additional rent increase were discussed in detail over the course of three sittings.

During the discussions the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During this hearing, the parties reached an agreement to settle their dispute as follows:

Apartment #	Rental amount agreed to
102	\$650.00
203	\$700.00
207	\$725.00
208	\$702.00
301	\$778.00
303	\$750.00
305	\$700.00
306	\$750.00
307	\$750.00

Analysis

The tenant in apartment 304 did not attend the hearing. In keeping with the agreement made between the landlord and the other tenants, I find it appropriate to order the tenant in 304, to pay rent in the increased amount of \$700.00 per month effective November 01, 2013.

Conclusion

The tenants will pay the increased rent as stated above, effective November 01, 2013. Additional occupant charges will be dealt with separately.

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: October 23, 2013

Residential Tenancy Branch
