



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ARI

Introduction

This hearing was convened by way of conference call in response to an application made by the landlord for an additional rent increase greater than the amount prescribed in the regulations, pursuant to section 43(3) of the *Residential Tenancy Act* (referred to as the "Act").

The landlord and both tenants appeared for the hearing and no issues in relation to the service of hearing documents and evidence for this hearing were raised by either party.

The landlord made the application on the basis that the rent for the rental unit is significantly lower than the rent payable for other rental units similar to and in the same geographic area, as the rental unit. In the application, the landlord applied to increase the rent payable by HM from \$450.00 to \$817.00 and for KP, from \$450.00 to \$664.00.

During the hearing, the tenants indicated that the rent increase being proposed by the landlord was difficult to pay in one go. As a result, the tenants engaged in a lengthy discussion with the landlord and both parties indicated that they would like the matter to be settled during the hearing through a mutual agreement.

Analysis & Conclusion

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to 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 legally binding decision.

Both parties agreed to a phased increase of rent over the duration of two years starting on April 1, 2014 as follows:

HM agreed to pay the landlord an additional \$150.00 starting on April 1, 2014 for a total amount of \$600.00 payable on the first day of each month thereafter. The rent will be increased another \$150.00 after a period of 1 year to \$750.00, which is payable by HM on April 1, 2015 and on the first day of each month thereafter.

KP agreed to pay the landlord an additional \$100.00 starting April 1, 2014 for a total amount of \$550.00 payable on the first day of each month thereafter. The rent will be increased another \$100.00 after a period of 1 year to \$650.00, which is payable by KP on April 1, 2015 and on the first day of each month thereafter.

This decision is final and binding on the parties.

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: February 14, 2014

Residential Tenancy Branch

