



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes DRI

This hearing dealt with an application by the tenant for an order setting aside a rent increase. Both parties appeared and had an opportunity to be heard.

This month-to-month tenancy commenced December 1, 2006. At the beginning of the tenancy the monthly rent, which is due on the first day of the month, was \$500.00. The rent includes heat and electricity.

Over the years there have been several informal rent increases. In the spring of 2008 the rent was increased by \$25.00 per month. In 2010 it was increased by another \$25.00. Effective January 1, 2014, the rent was increased to \$570.00 per month. The tenant stated she was not disputing those rent increases at this time.

On October 1, 2014, the landlord gave the tenant a letter advising that effective November 1, 2014, the rent would be increased by \$14.25 to \$584.25 per month.

The tenant acknowledges that the increase is the 2.5% permitted for rent increases taking effect in 2015. The landlord acknowledges that he has not followed the prescribed procedure and agrees that the rent increase scheduled for November 1, 2014, will be set aside. The landlord stated that it is his intention to serve a new notice of rent increase in compliance with the legislation and he asked the tenant and her advocate to contact him if they had any concerns.

To help the parties avoid future disputes they are directed to the following resources, all available on-line at the Residential Tenancy Branch website:

- A general description of the applicable law under the heading “During a Tenancy – Rent Increases”;
- Sections 41, 42 and 43 of the *Residential Tenancy Act*; and,
- *Residential Tenancy Policy Guideline 37: Rent Increases*.

Conclusion

By agreement of both parties, the notice of rent increase dated October 1, 2014, is set aside and is of no force or 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: November 25, 2014

Residential Tenancy Branch

