



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Martello Property Services Inc.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      RI

### Introduction

This was a hearing with respect to the landlord's application for an additional rent increase. The hearing was conducted by conference call. The landlord's representative called in and participated in the hearing. The tenant attended and was represented by legal counsel.

### Issue(s) to be Decided

Is the landlord entitled to an additional rent increase and if so, in what amount?

### Background and Evidence

The rental property is located in Richmond. The landlord applied to request permission to increase the rent by an amount greater than permitted by the Residential Tenancy Regulation. The increase was sought because the landlord contended that, after applying the increase permitted by the Regulation, 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. The requirements for such an application are specified by section 23 of the Residential Tenancy Regulation.

The landlord submitted several advertisements for rental properties located in rural area with several acres of land. The landlord provided an advertisement for a renovated home with a horse barn on five acres of land located in Cloverdale. Another advertisement submitted was for a three bedroom horse property in Maple Ridge. A further advertisement was for a two bedroom home on 10 acres with two barns located in Cloverdale.

The landlord did not provide any particulars or photographs of the rental property and there is no basis for me to make an assessment to determine whether the rental

property bears any similarity to the properties suggested by the landlord to be comparable. I note that none of the comparable properties cited by the landlord are located in the same municipality as the rental property.

### Analysis

Without any particulars to describe the rental property, including its size, the character of the rental accommodation and the amenities I am unable to assess whether the rental property is similar to the properties declared by the landlord to be comparable. Because I do not have evidence necessary to determine whether the rent for the rental unit is significantly lower than the rent payable for other similar rental units in the same geographic area, the landlord's application is dismissed with leave to reapply.

### Conclusion

The landlord's application has been dismissed with leave to reapply.

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 23, 2015

---

Residential Tenancy Branch

