



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding IMH POOL XIV LP
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes DRI, FF

Introduction

This hearing was scheduled to deal with a tenant's application to dispute a rent increase. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

At the outset of the hearing, I determined that the parties were in agreement that the landlord issued two erroneous Notices of Rent Increase before a third correct Notice was received by the tenants on May 29, 2018. The landlord had over-withdrawn rent for April and May 2018 based on the erroneous Notices but adjusted the tenants' June 1, 2018 rent payment so as to rectify the overpayment. The only issue to resolve was the reimbursement of the filing fee paid by the tenants for this Application for Dispute Resolution.

The landlord's agent agreed to reimburse the tenants the filing fee they paid for this Application for Dispute Resolution considering it was the landlord's error in issuing incorrect Notices of Rent Increase. Accordingly, I ORDER the LANDLORD to reimburse the tenants \$100.00 they paid for the filing fee. Since the tenancy is still in effect and the rent is paid by way of a pre-authorized payment, this order is to be satisfied by the landlord reducing the tenants' next rent payment by \$100.00.

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: June 05, 2018

Residential Tenancy Branch