



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Decision Codes: DRI, FFT

Introduction

The Application for Dispute Resolution filed by the Tenant makes the following claims:

- a. Disputing a rent increase that is above the amount allowed by law
- b. An order to recover the cost of the filing fee.

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the landlord on or about June 4, 2019. With respect to each of the applicant's claims I find as follows:

Issues to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order disputing a rent increase that is above the amount allowed by law?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence:

The tenancy began on January 1, 2019. The tenancy agreement provided that the tenant(s) would pay rent of \$3400 per month payable on the first day of each month. The tenant(s) paid a security deposit of \$1700 on December 9, 2019.

There is a dispute between the parties as to whether the tenant was responsible to pay the cost of the City of West Vancouver utility bill which includes a claim for base water, metered water, sewage, recycling and other items.

Settlement:

At the end of the hearing the parties reached a settlement and they asked that I record the settlement pursuant to section 63(2) of the Residential Tenancy Act as follows:

- a. The tenant shall pay to the landlord the base water and metered water portions of the City of West Vancouver utility bill starting from January 1, 2019 to the end of the tenancy.
- b. The tenant is not responsible to pay the other items on the City of West Vancouver utility bill and this is the landlord's responsibilities.
- c. The landlord shall pay to the tenant \$50 for one half of the cost of the filing fee paid by the Tenant to bring this application.

As a result of the settlement I made the following orders:

I order that the tenant shall pay to the landlord the cost of the base water and metered water portion of the City of West Vancouver utility bill starting from January 1, 2019 to the end of the tenancy.

I further order that the tenant is not responsible to pay the other items on the City of West Vancouver utility bill.

I further order that the landlord shall pay to the tenant \$50 for one half of the cost of the filing fee paid by the Tenant to bring this application such sum may be deducted from future rent. .

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: July 15, 2019

Residential Tenancy Branch