



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: DRI, OLC, FF

Introduction

This hearing dealt with an application by the tenant to dispute a rent increase. The tenant also applied for an order directing the landlord to comply with the *Act* and for the recovery of the filing fee.

Both parties attended this hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. The tenant represented herself and was accompanied by her mother. The landlord was represented by their agent.

As both parties were in attendance, I confirmed service of documents. The landlord confirmed receipt of the tenant's evidence and stated that he had not served any evidence of his own. I find that the landlord was served with evidentiary materials in accordance with sections 88 and 89 of the *Act*.

Issue to be Decided

Is the amount of the rent increase in keeping with Legislation?

Background and Evidence

The tenancy started on July 28, 2017. On April 15, 2019 the landlord served the tenant with a notice of rent increase. The notice was in the proper format, the increase complied with the legislated rent increase and the required three-month notice was provided to the tenant. The current monthly rent is \$513.76 and effective August 01, 2019 the rent will increase to \$526.59.

The tenant stated that she was not disputing the notice of rent increase but was disputing an additional \$100.00 increase that the landlord had verbally notified her of.

The tenant's boyfriend moved into the rental unit and on May 31, 2019, the tenant was served with a warning letter regarding a person residing in the rental unit who was not named on the tenancy agreement. The letter does not ask for an increase to rent.

The tenant stated that the \$100.00 increase was requested verbally, and the landlord denied having asked for any rent increase other than the notice of rent increase. The landlord stated that the tenant was required to fill in an application for approval of the additional occupant and agreed to email the form to her.

Analysis

Based on the testimony of the parties and the documents filed into evidence, I find that the landlord served the tenant with a notice of rent increase that complies with legislation and therefore the tenant may not make an application for dispute resolution to dispute a rent increase that complies with the *Act*.

The tenant stated that the landlord verbally gave her a rent increase of \$100.00 and the landlord denied having done so. During the hearing the landlord stated that he was not requesting any rent increase other than the written notice. Regarding the extra occupant in the rental unit, the landlord has requested the tenant to fill out the appropriate paperwork and agreed to provide the tenant with the application form.

I find that the tenant need not have disputed the notice of rent increase and therefore she must bear the cost of filing her application.

Conclusion

The tenant's application is dismissed.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: July 18, 2019

Residential Tenancy Branch