



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding HOSPITAL CREEK DEVELOPMENTS  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Code          DRI, FFT

### Introduction

This hearing was convened to address the Tenant's' Application for Dispute Resolution made on November 21, 2022. The Tenant applied for the following relief, pursuant to the Manufactured Home Park Tenancy Act (the Act):

- an order disputing a rent increase that is above the amount allowed by law; and
- an order granting recovery of the filing fee.

The Tenant attended the hearing on her own behalf. The Landlord was represented at the hearing by MD, an agent, and BM, legal counsel. Also in attendance for the Landlord was TD, an articulated student. The Tenant and MD provided a solemn affirmation at the beginning of the hearing.

### Settlement

During the hearing, the parties agreed the Landlord is entitled to an annual pad rent increase of 2%, effective January 1, 2023. The agreed increase raises monthly pad rent due from \$300.00 per month to \$306.00 per month.

This settlement agreement was reached in accordance with section 56 of the Act. However, the need for a hearing arose due to the acknowledged error of the Landlord when completing the Notice of Rent Increase document. Therefore, I find the Tenant is entitled to recover the \$100.00 filing fee paid to make the application, which may be deducted from a future pad rent payment at the Tenant's discretion.

The Landlord remains at liberty to apply for an additional rent increase for capital expenditures in accordance with the Act, the Manufactured Home Park Tenancy Regulation, and the applicable Policy Guidelines.

Conclusion

I order the parties to comply with the terms of the agreement as described above.

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: January 27, 2023

---

Residential Tenancy Branch