



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      ARI-C

### Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- Application for an additional rent increase for Capital Expenditures pursuant to section 43 of the Act.

All named parties attended the hearing. No issues were raised with respect to the service of the application and evidence submissions on file.

At the outset of the hearing, the landlord was advised of the formula utilized for determining the amount of any additional rent increase for eligible capital expenditure which is as follows:

As per section 23.2 of the Regulation the amount of the additional rent increase that the landlord may impose for the eligible capital expenditures is determined by:

- (a) divide the amount of the eligible capital expenditures incurred by the number of specified dwelling units, and
- (b) divide the amount calculated under paragraph (a) by 120.

Section 23.1(1) of the Regulation defines a "specified dwelling unit" as follows:

- (a) a dwelling unit that is a building, or is located in a building, in which an installation was made, or repairs or a replacement was carried out, for which eligible capital expenditures were incurred, or
- (b) a dwelling unit that is affected by an installation made, or repairs or a replacement carried out, in or on a residential property in which the

dwelling unit is located, for which eligible capital expenditures were incurred.

In the application, the landlord identifies only one unit as being subject to the capital expenditures. The landlord confirmed in the hearing that the rental unit subject to this dispute was just one of six in the apartment building for which the capital expenditures were incurred. All of the units would be subject to the application even if the capital expenditures only directly affected the single unit.

Based upon the above information, the landlord withdrew this application.

*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: February 17, 2023

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Residential Tenancy Branch