

37: Permitted Rent Increases

This policy guideline is intended to help the parties to an application understand issues that are likely to be relevant. It may also help parties know what information or evidence is likely to assist them in supporting their position. This policy guideline may be revised and new guidelines issued from time to time.

A. LEGISLATIVE FRAMEWORK

Under section 36 of the *Manufactured Home Park Tenancy Act* (MHPTA) and section 43 of the *Residential Tenancy Act* (RTA), a landlord may impose a rent increase only up to the amount:

- calculated in accordance with the regulations (“annual rent increase”),
- agreed to by the tenant in writing (“agreed rent increase”), or
- ordered by the director on an application in the circumstances prescribed in the regulations (“additional rent increase”).

This Policy Guideline includes information about the timing and notice requirements for all permitted rent increases. Specific information on each of the types of permitted rent increases can be found in the following Policy Guidelines:

- Policy Guideline 37A: Annual Rent Increase
- Policy Guideline 37B: Agreed Rent Increase
- Policy Guideline 37C: Additional Rent Increase for Capital Expenditures (ARI-C)
- Policy Guideline 37D: Additional Rent Increase for Expenditures (ARI-E)

1. *Timing Requirement*

Under section 35 of the MHPTA and section 42 of the RTA, a landlord can give a rent increase once every twelve months after:

- the date on which the tenant's rent was first payable for the rental unit or site, or
- if the tenant's rent has previously been increased, the effective date of the last rent increase.

For example, the landlord gives the tenant an annual rent increase that takes effect on January 1, 2022, and then applies for and is granted an additional rent increase under section 23.01 of the *Residential Tenancy Regulation* (Regulation) in March 2022. The additional rent increase cannot take effect before January 1, 2023 (and is given with the annual rent increase for 2023). Similarly, the landlord and tenant cannot mutually agree to a rent increase six months after the annual rent increase took effect. The director cannot change the timing requirements for rent increases.

2. *Notice Requirement*

The landlord must give the tenant a completed Notice of Rent Increase form at least three months before the effective date of the rent increase. The approved form for each type of permitted rent increase must be used when serving notice. The approved forms are

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available on [the Residential Tenancy Branch Forms webpage](#).

B. CHANGES TO POLICY GUIDELINE

Section	Change	Notes	Effective Date
All	Am	Revised for Clarity and Inclusion of the Additional Rent Increase for Capital Expenditures provisions	July 5, 2021
B	Am	Added information on 2023 Annual Rent Increase	September 9, 2022
All	Am	Significantly revised Policy Guideline and created PG37A-PG37D for each type of rent increase.	February 17, 2023

Change notations

am = text amended or changed

del = text deleted

new = new section added