



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC

Introduction

Some documentary evidence, photo evidence, and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed May 24, 2011, however the respondent did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for a monetary order for \$1326.83

Background and Evidence

The applicant testified that:

- On June 10, 2009 the landlord change the locks on the rental unit and when he attempted to gain access on June 12, 2009 unable to do so.
- The landlord put his items outside when he was not present and as a result although he recovered some of his items, some of the items went missing and some were damaged.

- He is therefore requesting the cost of replacement/repair as follows:

Missing sunglasses	\$235.15
Missing trekking poles	\$19.95
Missing 2 1/2 gallons of honey	\$130.00
Missing DVD player	\$100.79
Repaired damaged guitar	\$550.00
Missing shoes and boots	\$102.90
Missing backpack	\$28.00
Missing five CDs	\$60.00
Missing custom-made axe	\$100.00
Total	\$1326.79

Analysis

It is my decision that the applicant has not established any of the claims.

The applicant has not provided any evidence to support his claim that these items were present at the rental unit when he vacated or that they were put outside by the landlord.

The applicant testified that there was some video evidence of the items being outside; however he has not provided any such evidence to this hearing.

The applicant also stated there were witnesses present, however he has called no witnesses nor has he provided any witness statements.

Conclusion

This application is dismissed in full without leave to reapply.

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: September 01, 2011.

Residential Tenancy Branch