



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNDC, MNSD and FF

Introduction

By application received on October 2, 2012, the landlords sought a monetary award totalling \$14,011.01 for damage to the rental unit, unpaid rent/loss of rent, recovery of the filing fee for this proceeding and authorization to retain the security deposit in set off against the balance owed.

Issue(s) to be Decided

Are the landlords entitled to the monetary award as requested?

Background and Evidence

At the commencement of the hearing, the landlords' representative, their son, advised that his father had passed away two weeks prior to the hearing and that his parents had sold the rental unit subsequent to the subject tenancy.

I noted that I had no evidence before me except for a copy of an email from the tenant to the landlords and a list of monetary claims from the landlord. However, I have no rental agreement, no receipts, no copy of the insurance agreement to substantiate a claimed \$10,216.16 deductible, and no other documentary or corroborating evidence.

Therefore, I must dismiss the application. However, in view of passing of the male landlord which understandably could have played a role in the lack of evidence, I grant the applicant leave to reapply.

Conclusion

The application is dismissed with 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: December 20, 2012.

Residential Tenancy Branch