



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      FF, MNSD, MNDC

### Introduction

This hearing dealt with an application by the tenant seeking the return of double the security deposit and the recovery of the filing fee. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on November 7, 2014, the landlord did not participate in the conference call hearing. The tenants' gave affirmed evidence.

### Issue to be Decided

Is the tenant entitled to a monetary order as claimed?

### Background, Evidence

The tenants' testimony is as follows. The tenancy began on July 15, 2013 and ended on July 31, 2014. The tenants were obligated to pay \$625.00 per month in rent in advance and at the outset of the tenancy the tenants paid a \$310.00 security deposit. The tenants stated that there was a signed tenancy agreement. The tenants stated a condition inspection report was conducted at move in but not at move out. The tenants stated that they sent their forwarding address by text message to the landlord on July 25, 2014.

The tenants stated that the landlord returned \$185.00 within fifteen days but withheld \$125.00 for carpet cleaning without their consent. The tenants stated that once they served the landlord the notice of this hearing the landlord returned the remaining \$125.00 as well as the \$50.00 for the tenants filing fee which proves their claim. The tenants stated that they still seeking the return of double the deposit.

### Analysis

The tenants are the applicants in this matter and bear the responsibility of proving their claim. The tenants stated that had all the necessary documentation at home, but did not submit any of it for this hearing to be considered. The tenants have failed to provide sufficient evidence on several critical and necessary items, they are; failure to provide proof that a security deposit had been paid, proof of an actual tenancy with this individual, copies of the cheques from the landlord that the tenants say proves their claim, any rental receipts reflecting payments to the individual that proves they are the landlord and proof that they provided their forwarding address in writing. Based on the lack of supporting documentation for all of these items, I must dismiss this application.

Conclusion

The tenants' application is dismissed.

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: June 08, 2015

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Residential Tenancy Branch

