



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes FF, MNDC, O

Introduction

Having heard all the testimony of the applicant(s), under affirmation, and in the absence of the respondent(s), although having been notified of the right to participate in the hearing, I have determined:

Issues(s) to be Decided

This is a request for a monetary order for \$1090.00.

Background and Evidence

The applicants testified that:

- They vacated the rental unit on July 15, 2009 leaving behind a used pool table and a king sized bed frame.
- They fully intended to return for the pool table and bed frame; however before they could do so the items were disposed of.
- They looked on the Internet and found out the approximate price for the used pool table and for the king size bed frame and feel of the landlord should reimburse them for those items.
- They did not inform the landlord that they would be returning for the items but because they knew the new owners did not take over right away they fully intended to get the items out before the new owners took possession.

The applicants are therefore requesting an order as follows

Used pool table	\$900.00
Filing fee	\$50.00



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Total	\$1090.00
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Analysis

It is my decision that I will not allow the claim for the used pool table and king size bed frame.

The tenants were aware that the rental unit had been sold and the new owners were taking over, and yet they did not inform the landlord or the new owners that they would be returning for the used pool table and king size bed frame. Therefore it is my decision that it was not an unreasonable assumption on the part of the landlord that these items had been abandoned. It is also my finding that, having come to the conclusion that the items were of little value, it was not unreasonable for the landlords to dispose of the items.

I am also not convinced that the value put on the items by the applicants is reasonable. The applicants claim that they looked on the Internet to find of the value for these items however they provided no evidence to this hearing to show the condition of the items, or any independent estimates of what the cost of replacing the items would be.

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: November 20, 2009.

Dispute Resolution Officer