

DECISION

Dispute Codes: MNDC

Introduction

By application of January 14, 2011, the tenants seek a Monetary Order in compensation for personal property claimed to have been disposed of by the landlord.

Issues to be Decided

This application requires a decision on whether it is proven that the landlord disposed of personal property improperly, the value of such property and whether the tenants are entitled to compensation for its loss.

Background and Evidence

This tenancy began on August 15, 2010 and ended approximately in mid January 2011. Rent was \$800 per month and the landlord held a security deposit of \$400.

During the hearing, the tenants stated that, following the end of the tenancy, the landlords had disposed of property belonging to them that had been left outside the rental unit.

The landlord stated the property referred to has been piled outside for the duration of the tenancy and that the municipality had required it be disposed of.

The tenants submitted no evidence itemizing the claimed property, no third party evidence of its existence or any estimate of its value beyond the general claim for \$5,000.

Analysis

In order to support a claim for damage or loss under the *Act*, claimants are required to provide reasonable proof that there were damages, that they were caused by the other party, that the evaluation is correct and that they acted reasonable to minimize their loss.

In this matter, the tenants have satisfied none of the criteria for assessing damages.

Conclusion

The application is dismissed without leave to reapply.

March 25, 2011