



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNSD

Introduction

A substantial amount of 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 August 31, 2012; 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 an application for a monetary order for \$525.00 and an order for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- She paid a security deposit of \$525.00 at the beginning of the tenancy; however the landlord did not give her a receipt for the security deposit, nor was the security deposit registered on the tenancy agreement.
- She does not have any canceled cheques or bank statements to support her claim that she paid a security deposit; however one was paid on the date that she signed the tenancy agreement, March 25, 2012.

Analysis

It is my finding that the applicant has not met the burden of proving that a security deposit was paid for this tenancy.

The applicant has provided no evidence whatsoever of having paid the security deposit, and in fact the tenancy agreement does not list a security deposit as having been paid.

In the absence of any evidence to support the claim that a security deposit was paid, I will not issue an order for the return of a deposit.

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 13, 2012.

Residential Tenancy Branch