



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Arrow Park Apartments  
Eagle Pass Heli Skiing  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      FF, MND

### Introduction

This is an application for a monetary order for \$690.00.

Some written arguments have 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(s) were served with notice of the hearing by personal service on April 26, 2013; however the respondent(s) did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

Is the landlord entitled to a monetary order of \$690.00?

### Background and Evidence

The landlord testified that:

- When the tenants moved out of the rental unit they damaged the linoleum in the kitchen beyond repair. The damage was caused by dragging a table across the floor which tore the linoleum.
- As a result the linoleum had to be replaced at a cost of \$390.00 for materials and \$700.00 labour for a total of \$1090.00.

- They are therefore requesting a monetary order as follows:

Repair linoleum damage	\$1090.00
Less security deposit held	-\$450.00
Less rent rebate	-\$240.00
Plus filing fee	\$50.00
Total	\$450.00

### Analysis

The landlords are asking for an award of \$1090.00 for damage to linoleum, however the landlords have provided no supporting evidence of this alleged damage, nor have they provided any evidence of the costs to repair the alleged damage.

There was in fact no evidence at all supplied with the application for dispute resolution, other than the receipt for having paid the filing fee.

In the absence of any supporting evidence I'm not willing to issue an order in favour of the landlords.

### Conclusion

This application is dismissed 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: July 18, 2013

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Residential Tenancy Branch

