



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, OLC, FF

Introduction

This hearing dealt with an application by the tenant seeking the return of double the security deposit. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on January 15, 2014, the landlord did not participate in the conference call hearing. The tenant gave affirmed evidence.

Issue to be Decided

Is the tenant entitled to the return of double the security deposit?

Background, Evidence

The tenant gave the following testimony:

The tenancy began on December 10, 2012 and ended on December 31, 2013. The tenants were obligated to pay \$1575.00 per month in rent in advance and at the outset of the tenancy the tenants paid a \$787.50 security deposit. The tenant stated that as of today's hearing the landlord has not returned the security deposit.

Analysis

As explained to the applicant during the hearing, the onus or burden of proof is on the party making the claim. In this case, the tenant must prove their claim. The tenant stated that he paid the security deposit by cheque. The tenant stated that he sent numerous e-mails to the landlord requesting the return of his deposit. The tenant stated that there was a signed tenancy agreement and that he had all of the documentation. The tenant did not provide a copy of the canceled cheque, a receipt, e-mails, a tenancy agreement or even a piece of mail that would support his tenancy at this location. The tenant has not provided any of that documentation for this hearing. Based on the insufficient evidence before me I dismiss the tenants' 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: April 28, 2014

Residential Tenancy Branch

