



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PRECEDENT INVESTMENTS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: *OPR, CNR, MND, MNSD, MNDC, RR FF*

Introduction

A hearing was scheduled on June 25, 2014, in response to the applications for dispute resolution by both parties. Both parties attended that hearing. In a decision dated June 25, 2014, I awarded the landlord a monetary order in the amount of \$3,353.05 which represented the difference between the established claims of both parties.

The tenant applied for a review of the decision and in a decision dated August 08, 2014, the reviewing Arbitrator ordered a review hearing to address a single portion of the tenant's application. The issue to be addressed in the review hearing is whether or not the tenant paid a pet deposit of \$1,250.00.

The landlord acknowledged receipt of evidence submitted by the tenant and both parties gave affirmed testimony.

Issue(s) to be Decided

Did the tenant provide adequate evidence to establish that she had paid a pet deposit of \$1,250.00 in addition to the security deposit of \$1,250.00?

Background and Evidence

The tenant filed a copy of a cashed cheque dated July 14, 2012 for a total of \$2,500.00. Since this cheque had been cashed over 18 months ago, the tenant had to make a special request to obtain a copy of the cashed cheque. The reference line on the cheque states "*Security Deposit Pet Deposit*"

The landlord argued that the tenant had paid \$2,500.00 for a security deposit and half a month's rent for the period of July 15 to July 30, 2012.

The landlord also testified that her financial books only show the receipt of \$2,500 from the tenant and do not show any additional amounts paid by the tenant for half a month's rent.

The tenant disagreed and stated that she had paid half month's rent in cash to the manager, who is no longer employed by the landlord. The tenant drew my attention to a receipt filed into evidence. The receipt indicates that on July 15, 2012, the tenant paid \$1,250.00 for rent for the period of July 15 to July 30, 2012.

The landlord stated that this manager was no longer employed by her due to problems with the accounting of financial transactions. The landlord also stated that the manager had left employment on bad terms and therefore she did not ask him to testify on her behalf.

Analysis

Based on the testimony of both parties and the documentary evidence of the tenant, I find on balance of probabilities that it is more likely than not that the tenant paid a pet deposit in the amount of \$1,250.00. Accordingly I grant the tenant a monetary order under section 67 of the *Residential Tenancy Act*, for this amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the tenant a monetary order in the amount of \$1,250.00.

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: October 15, 2014

Residential Tenancy Branch

