



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND, MNDC, MNSD, FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order. Both parties participated in the conference call hearing.

### Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

### Background and Evidence

The facts are not in dispute. The rental unit is located on the lower floor of a home in which the upper floor is occupied by other tenants. The residents of the upper and lower floors share a common area. In February 2014, the occupants of the upper unit discovered bedbugs in their unit. The landlord seeks to recover from the tenants the cost of treating the home for bedbugs.

The landlord acknowledged that he did not know whether the tenants or the residents of the upper unit had brought the bedbugs into the rental unit.

### Analysis

In order to succeed in his claim, the landlord must prove on the balance of probabilities that it is more likely than not that the tenants brought the bedbugs into the rental unit. As the landlord is unable to prove this, his claim must fail and I therefore dismiss the landlord's claim in its entirety.

### Conclusion

The claim 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: July 08, 2015

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Residential Tenancy Branch

