



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD, FF

Introduction

This hearing dealt with an application brought by the tenant(s) requesting a monetary order in the amount of \$4557.00

A substantial amount of documentary evidence and written arguments has been submitted by the respondents prior to the hearing. I have thoroughly reviewed all relevant submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All parties were affirmed.

Issue(s) to be Decided

The issue is whether or not the tenants have established a monetary claim against the landlords, and if so in what amount.

Background and Evidence

In their application for dispute resolution the tenants are requesting an order for the following:

Rent order	\$1390.00
Dump fees	\$150.00
Two beds	\$800.00
Two couches	\$500.00
Moving	\$200.00
Pest-control chemicals	\$300.00
Hotel costs	\$491.00
Pest-control	\$600.00
Food at hotel	\$150.00
Loss of wages 32 hours times \$13.00	\$416.00
Filing fees	\$175.00
Total	\$5172.00

The tenants claim that these are costs that they incurred due to a bed bug infestation which the landlord would not deal with.

The tenants testified however, that they have provided no evidence whatsoever with their application claiming that they did not realize they had to, they thought they could just send in a written claim and put down the amounts they wanted.

The landlords provided a significant amount of evidence refuting the tenants claims and claiming that no bed bugs ever existed in the rental unit, and that this was just a claim by the tenants to attempt to not pay rent; however the tenants were evicted under an

Order of Possession, for nonpayment of rent and they are now garnishing the tenants pay for that outstanding rent which was ordered in a previous decision.

Analysis

It is my finding that the tenants have not met the burden of proving their claims in any way whatsoever, as they provided no evidence in support of their claims.

Not only have the tenants not provided any evidence in support of their claims, they appear to have simply picked arbitrary amounts that they believe the landlords should be paying to them.

It is my decision therefore that I will not allow any of the amount claimed by the tenants.

Conclusion

The tenants file, 543611 is dismissed in full without leave to reapply.

The landlord's file, 544686 was not dealt with at today's hearing as I did not become aware of the cross application until after the hearing had been concluded, and therefore it will be rescheduled for later date. Notices of the time and date of the hearing for file 544686 are included with this Decision for the landlords to serve to the tenants within 3 days of receipt of this Decision. The landlord must also serve a copy of this Decision to the tenant.

Each party must serve the other and the Residential Tenancy Branch with any evidence that they intend to reply upon at the new hearing for file 544686. For more information see our website at: gov.bc.ca/landlordtenant If either party has any questions they may contact an Information Officer with the Residential Tenancy Branch at:

Lower Mainland: 604-660-1020

Victoria: 250-387-1602

Elsewhere in BC: 1-800-665-8779

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 18, 2016

Residential Tenancy Branch

