



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

MNDC; PSF; OLC; FF

Introduction

This is the Tenant's Application for Dispute Resolution seeking compensation for damage or loss; an Order that the Landlord provide services or facilities required by law; an Order that the Landlord comply with the Act, regulation or tenancy agreement; and to recover the cost of the filing fee from the Landlord.

The parties gave affirmed testimony at the Hearing. It was determined that the Tenant served the Landlord with the Notice of Hearing documents by registered mail. A copy of the receipt and tracking number was provided in evidence. The Tenant was served with the Landlord's documentary evidence on April 21, 2017. The Tenant did not provide documentary evidence to the Residential Tenancy Branch or to the Landlord.

The Landlord stated that the postal code on the Tenant's Application is incorrect. She provided the correct postal code, and the Tenant's Application was amended accordingly.

Issue(s) to be Decided

Is the Tenant entitled to the Orders sought and compensation in the amount of \$300.00?

Background and Evidence

The Tenant's agent JK gave the following testimony:

JK testified that he had to pressure wash the back yard at the rental property because it was dangerous.

JK stated that the Landlord "kept coming over" to the rental unit without notice.

JK testified that the Tenant was given a One Month Notice to End Tenancy for Cause. He provided further information with respect to the Notice; however, I have not recorded this information because it is not relevant to the Tenant's claim.

The Landlord gave the following testimony:

The Landlord stated that the Tenant did not tell her that pressure washing was required and did not provide any evidence that the work was actually performed.

The Landlord gave further testimony; however, it was related to the One Month Notice to End Tenancy for Cause and is not relevant to the Tenant's claim. Therefore, I have not recorded this testimony.

Analysis

This is the Tenant's Application and therefore, the onus is on the Tenant to provide sufficient evidence to prove her claim on the balance of probabilities.

I find that the Tenant did not provide sufficient evidence that the power washing was undertaken, or proof that it was required, or proof of the cost of the work.

With respect to the Tenant's application for an Order that the Landlord provide services or facilities as required, I find that the Tenant provided insufficient evidence to prove this claim.

The Tenant did not indicate what section of the Act, regulation or what term of the tenancy agreement she seeks the Landlord to comply with.

Conclusion

I find that the Tenant provided insufficient evidence to prove her claim and therefore her Application for Dispute Resolution is dismissed in its entirety.

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: June 11, 2017

Residential Tenancy Branch