



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 0909799 BC LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

MNDCT FFT

Introduction

This hearing was convened in response to an application for Dispute Resolution by the Tenant to obtain a Monetary Order for money owed or compensation for loss under the Act, regulation, or tenancy agreement, and to recover the filing fee.

Both parties attended the hearing. The landlord was represented by their authorized representative (the landlord). The landlord acknowledged receiving the application of the tenant and to submitting 10 pages of evidence to this proceeding and the applicant. The tenant acknowledged receiving all hearing documentation from the Branch however further acknowledged they had not submitted any evidence to this proceeding nor sent any to the landlord. I am satisfied as to the service requirements and as to the evidence submissions pursuant to the Rules of Procedure.

Issue(s) to be Decided

Is the tenant entitled to compensation in the amount requested?

Is the tenant entitled to recover the filing fee?

The burden of proving their claims rests on the applicant

Background and Evidence

The tenant testified that they asked the landlord to repair their dilapidated driveway within their rented home site, primarily for safety reasons, however the landlord refused. The tenant testified that therefore they took it upon themselves to have the driveway repaired/replaced and paid the cost thereof. The tenant is seeking \$800.00 claiming

this to be the cost to repair the driveway. The landlord's representative testified that the owner is refusing to compensate the tenant any amount for the new driveway.

Analysis

The full text of the Act, Regulations and other resources, can be accessed via the Residential Tenancy Branch website: www.gov.bc.ca/landlordtenant.

In this type of application I must look to the tenant to support their application and moreover to support their monetary claim. I find that amongst all other items preferred made available as evidence, a key element of evidence required in this type of matter is proof of the amount paid or the amount required to verify the claim made. In the absence of any submission of evidentiary documentation by the tenant I find the tenant's evidence insufficient to support their monetary claim and burden of proof. Under the circumstances I hereby **dismiss** the tenant's claim without leave to reapply and as a result the tenant's application is dismissed in its entirety.

Conclusion

The tenant's application is dismissed.

This Decision is final and binding.

This Decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Manufactured Home Park Tenancy Act.

Dated: January 15, 2019

Residential Tenancy Branch