



# **Dispute Resolution Services**

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## **Decision**

**Dispute Codes:** MNSD FF

## **Introduction**

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

I also gave the applicant the opportunity to testify at the hearing.

All testimony was taken under affirmation.

## **Issue(s) to be Decided**

This is a request for an order for the return of the security deposit double.

## **Background, Evidence & Analysis**

The landlord has not returned the tenants security deposit or applied for dispute resolution to keep any or all of tenant's security deposit and the time limit in which to apply is now past.

The Residential Tenancy Act states that, if the landlord does not either return the security deposit or apply for dispute resolution within 15 days after the later of the date the tenancy ends or the date the landlord receives the tenants forwarding address in writing, the landlord must pay the tenant double the amount of security deposit.

This tenancy ended on September 30, 2008 and the landlord had a forwarding address in writing by October 18, 2008 and there is no evidence to show that the tenant's right to return of the deposit has been extinguished.

Therefore, I am required to order that the landlord must pay double the amount of the security deposit to the tenant.

The tenants paid a deposit of \$500.00 and therefore the landlord must pay \$1000.00, plus interest of \$4.04, for a total of \$1004.04

I further ordered that the respondent bear the \$ 50.00 cost of the filing fee paid for this hearing.

### **Conclusion**

I have issued an order for the respondent to pay \$1054.04 to the applicants.

Dated: January 08, 2009