

DECISION

Dispute Codes: MNSD

This hearing dealt with an application by the tenants for a monetary order for the amount of the security deposit, applicable accrued interest and double the security deposit.

The tenancy began on February 1, 2008. The tenants paid a security deposit of \$625.00 on January 13, 2008. The tenancy ended on February 28, 2009. The tenants provided the landlords with their written forwarding address on April 16, 2009. On April 18, 2009, the tenants received a partial return of their security deposit in the amount of \$25.00. The tenants did not agree to the landlords' deductions from their security deposit. The landlords have not applied for dispute resolution.

Section 38 of the *Residential Tenancy Act* requires that 15 days after the later of the end of tenancy and the tenant providing the landlord with a written forwarding address, the landlord must repay the security deposit or make an application for dispute resolution. If the landlord fails to do so, then the tenant is entitled to recovery of double the base amount of the security deposit. I find that the tenancy ended on February 28, 2009, and that the tenants provided their forwarding address in writing on April 16, 2009. I further find that the landlords have failed to repay the security deposit or make an application for dispute resolution within 15 days of receiving the tenants' forwarding address in writing.

I find that the tenants have established a claim for the security deposit of \$625.00, accrued interest of \$9.07, and double the base amount of the security deposit in the amount of \$625.00, for a total of \$1259.07. The tenants acknowledged having received \$25.00 from the landlords as a partial return of their security deposit. I therefore grant the tenants an order under section 67 for

the balance of \$1234.07. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated July 15, 2009.