



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

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

I also gave the parties the opportunity to give their evidence orally.

All testimony was taken under affirmation.

### Issues(s) to be Decided

This is a request for double the return of the portion of the security deposit that the landlord failed to return, plus interest. The applicant is also requesting that the respondent bear the \$50.00 filing fee that was paid for this application for dispute resolution.

### Decision and reasons

The landlord has not returned the tenants full 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



# Dispute Resolution Services

Page: 2

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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 July 16, 2009 and the landlords had a forwarding address in writing on or before July 16, 2009 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 portion of the security deposit that was not returned to the tenants.

The landlords failed to return \$140.80 and therefore must pay \$281.60, plus interest of \$1.02, for a total of \$282.62.

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

## Conclusion

I have issued an order for the respondents to pay \$332.62 to the applicants.

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: September 03, 2009.

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Dispute Resolution Officer