



# 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 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 and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

### Issues(s) to be Decided

This is a request for an order for double the security deposit of \$1250.00, for a total of \$2500.00. The applicant is also requesting an order for the respondents to bear the \$50.00 cost of the filing fee that was paid for this hearing.

### Decision and reasons

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



# 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 May 19, 2009 and the landlord had a forwarding address in writing by May 21, 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 security deposit to the tenant.

On July 6, 2008 the tenant paid a deposit of \$1250.00, and therefore the respondents must pay double that amount, (\$2500.00) plus interest of \$4.22, for a total of \$2504.22.

I also allow the applicants claim for the \$ 50.00 cost of the filing fee paid for this hearing.

## Conclusion

I have issued an order for the respondents to pay \$2554.22 to the applicant.

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: October 05, 2009.

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Dispute Resolution Officer