



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      MNDC, MNSD, RPP

### Introduction

Some documentary evidence and written arguments have been submitted prior to the hearing. I have thoroughly reviewed all submissions.

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

The respondent was served with notice of the hearing by Registered Mail that was mailed on August 19, 2009, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issues(s) to be Decided

This is a request for a monetary order for \$900.00.

### 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 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.



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This tenancy ended on July 31, 2009 and the landlord had a forwarding address in writing by July 27, 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.

The tenant paid a deposit of \$350.00 and therefore the landlord must pay \$700.00 to the tenant.

The tenant also requested a \$200.00 order against the landlord, claiming that the landlord disposed of a dresser that she left behind; however the tenant has supplied no evidence in support of this claim, and in fact testified that she did not inform the landlord that she would be returning for the dresser.

I therefore will not allow the claim for the dresser.

## Conclusion

I have issued an order for the respondent to pay \$700.00 to the applicant. I further order that the respondent, pay to the director of the Residential Tenancy Office, the filing fee of \$50.00, that was waived for 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 07, 2009.

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Dispute Resolution Officer