



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNSD & FF

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 it was mailed on July 31, 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 an order for the landlord to pay double the security deposit to the tenant, plus interest. The tenant is also requesting that the landlord bear the \$50.00 cost of the filing fee that was paid for this hearing

Decision and reasons

The landlords have 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 landlords do not either return the security deposit or apply for dispute resolution within 15 days after the later of the date the



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tenancy ends or the date the landlords receives the tenants forwarding address in writing, the landlord must pay the tenant double the amount of security deposit.

This tenancy ended on May 31, 2009 and the landlords had a forwarding address in writing by April 15, 2009 and there is no evidence to show that the tenant's right to return of the deposit has been extinguished.

Therefore, the landlords must pay double the amount of the security deposit to the tenant.

The tenant paid a deposit \$420.00 and therefore the landlords must pay \$840.00, plus interest of \$14.87 for a total of \$854.87

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 respondents to pay \$904.87 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: November 06, 2009.

Dispute Resolution Officer