

## Decision

Dispute Codes: MNSD

### Introduction

This hearing dealt with an application by the tenant for an order for the return of double his security deposit. Both parties participated in the conference call hearing.

### Issue(s) to be Decided

Is the tenant entitled to the return of double his security deposit?

### Background and Evidence

The undisputed facts before me are as follows. The tenancy began on January 1, 2009 and ended on April 18, 2009. At the outset of the tenancy the landlord collected a security deposit of \$300.00. The parties agreed that the tenant gave the landlord his forwarding address in writing before the end of the tenancy.

### Analysis

Section 38(1) of the Act provides that the landlord must return the security deposit or apply for dispute resolution within 15 days after the later of the end of the tenancy and the date the forwarding address is received in writing. I find the landlord failed to repay the security deposit or make an application for dispute resolution within 15 days of receiving the tenant's forwarding address and is therefore liable under section 38(6) which provides that the landlord must pay the tenant double the amount of the security deposit.

The landlord currently holds a security deposit of \$300.00 and is obligated under section 38 to return this amount to the tenant. The amount that is doubled is the base amount of the deposit.

### Conclusion

I grant the tenant an order under section 67 for \$600.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated November 30, 2009.