



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes MNSD

### Introduction

This is a request for an order for return of double the \$400.00 security deposit, for a total of \$800.00 minus \$196.45 for carpet cleaning and/or replacement, for a total claim of \$603.55

### Decision and reasons

The applicants had requested the return of their full security deposit plus interest; however at the time that they applied they had still not removed all their belongings from the rental unit. Therefore it is my decision that at that time the landlord was under no obligation to return any of the security deposit, as he has 15 days from the date the tenants vacate and it is my decision that although the tenants had personally vacated they still had belongings in the rental unit that needed to be removed.

The whole purpose of the 15 days from the date the tenants vacate his to give the landlord ample time to assess any need for repairs, therefore the landlord cannot be expected to do that assessment before all the belongings are out of the rental unit, as damage could occur at the time the items are removed; especially in this case as they were large items, a piano and a freezer.

### Conclusion

This application is dismissed with leave to reapply.

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: December 15, 2009.

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Dispute Resolution Officer