



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes FF & MNSD

Introduction

A substantial amount of documentary 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 \$725.00 security deposit, for a total of \$1450.00 and a request that the respondent also bear the \$50.00 cost of the filing fee that was paid for this dispute resolution 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 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.



Dispute Resolution Services

Page: 2

Residential Tenancy Branch
Ministry of Housing and Social Development

This tenancy ended on August 31, 2009 and the landlord had a forwarding address in writing by August 28, 2009, and there is no evidence to show that the tenant's right to return of the deposit has been extinguished.

Therefore, the landlord must pay double the amount of the \$725.00 security deposit to the tenant, for a total of \$1450.00, plus interest of \$2.73, for a grand total of \$1452.73

I further order that the respondent bear the \$50.00 cost of the filing fee that the applicant paid for this dispute resolution hearing.

Conclusion

I have issued an order for the respondent to pay \$1502.73 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: February 05, 2010.

Dispute Resolution Officer