DECISION

Dispute Codes: MNSD and FF

Introduction

This application was brought by the tenant seeking return of his security deposit in double pursuant to section 38(6) of the *Act* on the grounds that the landlord did not return it within 15 days of the latter of the end of the tenancy or receipt of the tenant's forwarding address.

The tenant stated that he had sent Notice of Hearing to the landlord by registered mail sent from Korea. However, I am unable to verify the tracking number provided. The landlords did not call in to the number provided to enable their participation in the telephone conference call hearing.

Issues to be Decided

This application requires a decision on whether the tenant is entitled to a Monetary Order for return of he security deposit in double.

Background and Evidence

This tenancy began on or about March 1, 2009 and ended on or about July 31, 2009. Rent was $890 per month and the security deposit held by the landlord is $445 according to evidence given by the tenant.

Apart from the application, the tenant has provided no evidence in support of this application and had some difficulty communicating details in English.

Analysis

In order to grant a Monetary Order for return of the security deposit, and in view of the landlord's absence from the hearing, the tenant should have provided as much of the following documentation as is available:

1. Verifiable proof that the landlord was served with the Notice of Hearing;
2. Proof that the tenant provided the landlord with a forwarding address and request for return of the deposit;
3. Copy of the move-out condition inspection report;
4. Copy of the rental agreement;
5. Any other evidence that may help to prove the tenants' claim.

In absence of any such evidence, I must dismiss this application, but I grant the tenant leave to apply again to provide evidence and to engage the assistance of a translator or advocate if he so desires.

Conclusion

This application is dismissed with leave to reapply.

May 7, 2010