

DECISION

Dispute Codes MNSD, FF

Introduction

Some 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 that was mailed on February 14, 2010, 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 return of double the \$650.00 security deposit, for a total of \$1300.00, the applicant is also requesting an order that the respondent bear the \$50.00 cost of the filing fee that was paid for the application for dispute resolution.

Decision and reasons

The tenant has applied for the return of double the security deposit; however the tenant has not met the burden of proving that he gave the landlord(s) a forwarding address in writing, as required by the Residential Tenancy Act, prior to applying for arbitration.

The applicant testified that he served his forwarding address to the landlords by e-mail, however e-mail is not a method of service that is recognized under the Residential Tenancy Act.

Therefore at the time that the tenant applied for dispute resolution, the landlord(s) were under no obligation to return the security deposit and therefore this application is premature.

The landlord has subsequently returned the full security deposit to the tenant.

Conclusion

This application is dismissed in full without 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: May 20, 2010.

Dispute Resolution Officer