



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNSD

Introduction

Some documentary evidence and written arguments has 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 July 16, 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 the security deposit.

Background and Evidence

The applicant testified that:

- She paid a security deposit of \$1400.00, however the end of the tenancy the landlord has refused to return any of it even though they left the premises clean and undamaged.
- The landlord did not do a move in inspection report or a move out inspection report.
- A forwarding address was given to the landlord by hand on July the first 2010.

The applicant is therefore requesting an order for return of double their security deposit.

Analysis



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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.

This tenancy ended on July 1, 2010 and the landlord had a forwarding address in writing by July 1, 2010 and there is no evidence to show that the tenant's right to return of the deposit has been extinguished.

Therefore, I am required to order that the landlord must pay double the amount of the security deposit to the tenant.

The tenants paid a security deposit \$1400.00 and therefore the landlord must pay \$2800.00 to the tenants.

Conclusion

I have issued an order for the respondent to pay \$2800.00 to the applicants.

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 01, 2010.

Dispute Resolution Officer