



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

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 September 23, 2010, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for a monetary order for double the \$400.00 security deposit, for a total of \$800.00.

Background and Evidence

The applicant testified that:

- He paid a \$400.00 security deposit on February 19, 2010.
- He vacated the rental unit approximately 3 months later, but does not know the exact date.
- He supplied the landlord with a forwarding address and request for return of the security deposit, in writing, which was received by the landlord on or before August 5, 2010.

- To date the landlord has not returned the security deposit.

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

Analysis

First of all the tenant has supplied no evidence of having paid a security deposit.

Secondly, even if the tenant did pay a security deposit, the tenant testified that he failed to participate in a move out inspection of the rental unit, because he could not wait for the landlord to do the inspection.

Further, a letter supplied in the application which was sent from the landlord to the tenant on August 5, 2010, indicates that the apartment was abandoned by the tenant with no notice of the actual date the tenant left.

Therefore it is my decision that the tenant has forfeited his right to the return of his security deposit.

Conclusion

This application is dismissed without leave to reapply and I further order that the tenant pay the \$50.00 cost of the filing fee, which was previously waived, to the director of the Residential Tenancy Branch.

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: January 17, 2011.

Residential Tenancy Branch