



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes FF, 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 November 6, 2011, 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 \$250.00 security deposit for a total of \$500.00. The applicant is also requesting recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- This tenancy started somewhere around June 1, 2010 however he is not sure of the exact date.
- He paid a security deposit of \$250.00, however again he is not sure of the date on which it was paid, and he did not receive a receipt for the security deposit.
- He moved out of the rental unit somewhere around September 15, 2010 to September 30, 2010 however again he is not sure of the exact date.

- He handed the landlord on forwarding address in writing on the date he vacated the rental unit.
- To date the landlord has refused to return his security deposit.

The applicant is therefore requesting an order for return of double his security deposit plus his filing fee.

Analysis

It is my decision that I will not allow the claim for return of double the security deposit, because the tenant has not met the burden of proving when or even if the security deposit was paid.

The tenant claims to have paid the security deposit, however he is very vague on any specifics. He does not remember when the tenancy started or ended, and does not remember when he paid the security deposit, or when he served the landlord with a forwarding address in writing.

I am not willing to issue an order for the return of a security deposit, when the applicant has supplied no proof of having paid a deposit, and cannot even tell me when that deposit was paid.

Conclusion

This application is dismissed 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: March 08, 2011.

Residential Tenancy Branch