



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNSD, FF

Introduction

This conference call hearing was convened in response to the tenant's application for a monetary order for the return of the security deposit and to recover the filing fees associated with this application.

Issue(s) to be Decided

Is the tenant entitled to a Monetary Order, and for what amount?

Is the tenant entitled to the return of the security deposit?

Is the tenant entitled to recover the filing fee?

Background and Evidence

The rental unit consists of a single detached home divided into 6 rooms occupied by 6 tenants. The rent for the house was \$1200.00 and each tenant paid a security deposit of \$600.00.

In his documentary evidence, the tenant provided 20 photographs showing the condition of the rental unit at the end of the tenancy. The tenant testified that he cleaned the suite thoroughly, steamed cleaned the carpets, and left the unit in better condition than when he moved in. The tenant stated that he signed a tenancy agreement with the landlord and that he assumed responsibility for the other tenants who moved into the unit.

He stated that he did not receive a copy of the agreement and that the other tenants forfeited their security deposit at the end of the tenancy. The tenant submitted that the landlord should not keep the other tenants' share of the security deposits.

The landlord testified that he did not have a tenancy agreement with this tenant. He said that the applicant tenant took over a tenancy with the name of the previous tenant written on the agreement. The landlord stated that at the end of the tenancy, he returned the applicant tenant's share of the security deposit of \$100.00.

Analysis

It was not disputed that the applicant tenant's security deposit was \$100.00, and that it was returned to him at the end of the tenancy. If the other tenants feel that they are entitled to the return of their security deposit, they are entitled to file their own application for dispute resolution and to provide relevant evidence.

I am satisfied that in regards to this application, the landlord complied with the Act and returned this tenant's security deposit of \$100.00.

Conclusion

The tenant's application is dismissed.

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: April 18, 2011.

Residential Tenancy Branch