

DECISION

Dispute Codes: MNSD and O

Introduction

Application was made by the tenants on March 1, 2009 seeking return of their security deposit in double on the grounds that the landlords did not return it within 15 days of the latter of the end of the tenancy or receipt of the tenant's forwarding address as required under section 38(1) of the *Act*. The tenants also sought compensation for a washer and dryer they had purchased and left in the rental unit.

Issues to be Decided

This application requires a decision on whether the tenants are entitled to a Monetary Order for the security deposit, whether the amount should be doubled under section 38(6) of the *Act*, and whether the tenants are entitled to a remedy with respect to the washer and dryer.

Background and Evidence

This tenancy began on August 1, 2007 and ended on March 31, 2009. Rent was \$850 per month and the landlords hold security and pet damage deposits of \$425 and \$215 respectively, both paid on August 1, 2007.

On the matter of the washer and dryer, the landlords stated that they remained in storage in the garage of the rental unit. As the tenants have not seen to the removal of the washer and dryer for two years, and the landlords were entitled to treat them as abandoned goods, there is no remedy in the legislation available to the tenants on the question. Their disposition is now left to the good will of the parties.

Consent Agreement

During the hearing, the parties crafted the following consent agreement:

The landlords agree to return and the tenants agreed to accept payment of \$320 in full and final settlement of all matters pertaining to the subject tenancy.

Conclusion

The tenants' copy of this decision is accompanied by a Monetary Order for \$320, enforceable through the Provincial Court of British Columbia, for service on the landlords if payment is not received.

June 10, 2011