

DECISION

Dispute Codes FF, MNSD

Introduction

This hearing dealt with an application by the tenant seeking an order to have their security deposit returned. The tenant participated in the conference call hearing but the landlord did not. The tenant presented evidence that the landlord was served with the application for dispute resolution and notice of hearing by registered mail on March 18, 2011. I found that the landlord had been properly served with notice of the tenants claim and the date and time of the hearing and the hearing proceeded in their absence. The tenant gave affirmed evidence.

Issues to be Decided

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

Background and Evidence

The tenancy began on or about May 1, 2009 and ended on July 31, 2010. Rent in the amount of \$ 900.00 is payable in advance on the first day of each month. At the outset of the tenancy the landlord collected from the tenant a security deposit in the amount of \$700.00. The tenant's testimony is as follows; a move in condition inspection was done, the tenant gave the landlord one month's written notice that she would be moving out on July 31, 2010, the tenant requested on two separate occasions that a move out condition inspection be done with the landlord, the landlord refused to conduct a move out condition inspection, the tenant left her forwarding address in writing with the landlord upon moving out of the unit, she made multiple attempts to contact the landlord to have her security deposit returned, the landlord sent the tenant a letter on August 13, 2010 informing her he would not be returning her deposit.

Analysis

I accept the tenant's undisputed testimony. The tenant has satisfied me that she has met all of the requirements and obligations as a tenant and that they are entitled to the return of the security deposit.

As for the monetary order, I find that the tenant has established a claim for the return of the \$700.00 security deposit and is also entitled to recovery of the \$50.00 filing fee. I grant the tenant an order under section 67 for the balance due of \$750.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The tenant is granted a monetary order for \$750.00.

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: June 30, 2011.

Residential Tenancy Branch