



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for a monetary order for \$457.36 and a request for recovery of the \$50.00 filing fee.

### Background and Evidence

The parties had a previous dispute resolution hearing on March 14, 2011, and a decision was issued the same day that ordered the landlord to return the full \$225.00 security deposit within 15 days of receiving the decision.

The landlord filed an application for review of that decision, and on April 1, 2011 the application for review was dismissed.

Analysis

The landlord was required to return the security deposit to the tenant as ordered in the original decision however to date she is failed to do so.

Therefore it is my finding that the landlord is now required to pay double the \$225.00 security deposit to the tenant pursuant to section 38(6) of the Residential Tenancy Act.

The legislation does not permit me to award any litigation related costs other than the filing fee. Therefore the \$7.36 claim for mailing costs will not be allowed.

I will however order recovery of the \$50.00 filing fee.

Conclusion

I have issued a monetary order in the amount of \$500.00.

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: October 26, 2011.

---

Residential Tenancy Branch