



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNSD

Introduction

This hearing dealt with an application by the tenant for a monetary order for the return of her security deposit. The tenant stated that she served the notice of hearing to the landlord by registered mail on July 21, 2011. The tenant filed a tracking slip. Despite having been served the notice of hearing, the landlord did not attend the hearing. The tenant attended the hearing and was given full opportunity to present evidence and make submissions.

Issue to be Decided

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

Background and Evidence

The tenant testified that she rented the basement of the rental home from the occupant who had signed a fixed term lease with the landlord. The tenant paid her security deposit to the occupant of the basement in December 2010. The tenant did not file any evidence like a tenancy agreement or a receipt for the payment of her security deposit.

Analysis

Based on the testimony of the tenant, I find that the respondent named on her application is not the person that she paid her security deposit to. Accordingly, the tenant's application is dismissed with leave to reapply.

Conclusion

The tenant's case is dismissed with 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: October 11, 2011.

Residential Tenancy Branch