



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, 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 \$720.00 and a request for recovery of the \$50.00 filing fee.

### Background and Evidence

This tenancy ended on July 30, 2011 and the landlord was given a forwarding address at that time.

The tenant did not give the landlord any permission to keep any of the pet deposit.

The pet deposit was not returned to the tenant until September 16, 2011.

The agent for the landlord stated that she does not know what delayed the return of the deposit.

### Analysis

The Residential Tenancy Act states that, if the landlord does not either return the security deposit or apply for dispute resolution within 15 days after the later of the date

the tenancy ends or the date the landlord receives the tenants forwarding address in writing, the landlord must pay the tenant double the amount of security deposit.

The landlord did not returned the tenants security deposit or apply for dispute resolution to keep any or all of tenant's security deposit within the time limit set out in the Act.

This tenancy ended on July 30, 2011 and the landlord had a forwarding address in writing by July 30, 2011 and there is no evidence to show that the tenant's right to return of the deposit has been extinguished.

Therefore the landlord was required to pay double the amount of the security deposit to the tenant.

Therefore since the landlord only paid the original amount of the deposit to the tenant, the landlord must still pay an additional \$360.00.

I also allow recovery of the \$50.00 filing fee.

### Conclusion

I have issued an order for the respondent to pay \$410.00 to the applicant.

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: November 21, 2011.

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Residential Tenancy Branch