



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF, MNDC, MNSD

### 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.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for a monetary order for \$650.00 and a request for recovery of the \$50.00 filing fee.

### Background and Evidence

This tenancy began on January 1, 2011 and ended on July 1, 2011.

The tenant paid a security deposit of \$325.00 on December 30, 2010.

The landlord was served with a forwarding address in writing on July 19, 2011 by registered mail.

To date the landlord has failed to return any or all of the tenant's security deposit.

The tenant has not given the landlord any permission to keep any or all of the security 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 has not returned the tenants security deposit or applied for dispute resolution to keep any or all of tenant's security deposit and the time limit in which to apply is now past.

This tenancy ended on July 1, 2011 and the landlord had a forwarding address in writing by July 24, 2011, and there is no evidence to show that the tenant's right to return of the deposit has been extinguished.

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

The tenant paid a deposit of \$325.00 and therefore the landlord must pay \$650.00.

I also allow recovery of the \$50.00 filing fee

### Conclusion

I have issued an order for the respondent to pay \$700.00 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