



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF, 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 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 an order for return of the security deposit double, and recovery of the \$50.00 filing fee.

### Background and Evidence

This tenancy began on August 1, 2010 and at that time a security deposit of \$525.00 was collected.

The tenancy ended on June 30, 2011 and the landlords were given a forwarding address in writing on July 28, 2011.

To date the landlords have not returned the security deposit, or applied for dispute resolution to keep any or all of the security deposit.

The tenants have not given the landlords any written permission to keep 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 June 30, 2011 and the landlord have admitted that they had a forwarding address in writing by July 28, 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 tenants paid a deposit of \$525.00, and therefore the landlords must pay \$1050.00.

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

### Conclusion

I have issued a monetary order in the amount of \$1100.00.

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: November 24, 2011.

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Residential Tenancy Branch