



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD and FF

Introduction

This hearing was convened on the tenant's application of October 24, 2011 seeking return of his security deposit with interest and recovery of the filing fee for this proceeding.

Evidence submitted by the tenant referred to a hearing conducted nearly a year earlier on November 3, 2010, on cross applications by both he and the landlord under file numbers xxxxxxxx and yyyyyyyy.

In his written decision of November 8, 2011, the Dispute Resolution Officer made reference to conflicting evidence of the tenant and his co-tenant wrote:

"In light of this conflicting testimony presented by the tenant, I cannot give either version any weight."

"I conclude that though the tenancy agreement calls for a \$780.00 deposit, no security deposit was paid. I dismiss this portion of the tenant's claim."

Therefore, I must find that this matter is ***res judicata***, that is, previously heard and decided. Therefore, this application is dismissed without 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: January 11, 2012.
