



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD, FF

### Introduction

This hearing dealt with an application by the tenant for an order for the return of double her security deposit. Both parties participated in the conference call hearing.

### Issue to be Decided

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

### Background and Evidence

The facts are not in dispute. The tenancy began on September 1, 2011 and ended on January 29, 2012. At the outset of the tenancy the tenant paid a security deposit of \$700.00. On January 31, 2012, the tenant gave the landlord her forwarding address in writing.

### Analysis

Section 38(1) of the Act provides that the landlord must return the security deposit or apply for dispute resolution within 15 days after the later of the end of the tenancy and the date the forwarding address is received in writing. I find the landlord received the tenant's forwarding address on January 31, 2012 and I find the landlord failed to repay the security deposit or make an application for dispute resolution within 15 days of receiving the tenant's forwarding address and is therefore liable under section 38(6) which provides that the landlord must pay the tenant double the amount of the security deposit. I award the tenant \$1,400. I also find that the tenant is entitled to recover the \$50.00 filing fee paid to bring her application and I award her \$50.00.

### Conclusion

I grant the tenant a monetary order under section 67 for \$1,450.00 which includes the double security deposit and the \$50.00 filing fee. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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: March 29, 2012

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