



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC

Introduction

This hearing was convened in response to an application filed by the tenant seeking recovery of the security deposit with respect to this matter.

The landlords did not appear. The tenants gave evidence that the landlords were each served with the application for dispute resolution and the notice of this hearing by way of registered mail sent January 23, 2012. Based on this undisputed evidence I accept that the landlords were duly served with Notice of this Hearing.

The tenant gave evidence under oath.

Issue(s) to be Decided

Is the tenant entitled to recovery of her security deposit?

Background and Evidence

The tenant testified that she provided her forwarding address to the landlords in writing on December 16, 2011 however that deposit has not been returned to her. The tenant produced a written tenancy agreement which names a different landlord. The tenant confirmed that she paid her security deposit to the person named in the tenancy agreement and she paid her rent to this person as well.

Analysis

The tenant is claiming return of her deposit from persons who are not named as landlord in the tenancy agreement. I find that the tenant has failed to supply sufficient evidence to show that the persons named as landlord in this application are in fact her landlords such that I would make an Order compelling them to return the tenant's deposit.

Conclusion

This application is dismissed with 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: March 26, 2012.

Residential Tenancy Branch