

DECISION

Dispute Codes MNSD, FF

Introduction

This is an application filed by the Tenant for the return of the security deposit and recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony.

Issue(s) to be Decided

Is the Tenant entitled to a monetary order for the return of the security deposit?

Background and Evidence and Analysis

This Tenancy ended at the beginning of December 2011. The Tenant states that the security deposit was \$487.50 and the Landlord disputes this stating that the security deposit was \$437.50.

The Tenant is seeking a monetary order for the return of the security deposit. The Landlord has submitted a copy of a decision from a previous Residential Tenancy Branch File No. 784564 that was held on January 10, 2012. In this decision the Landlord established a monetary claim of \$925.00 in unpaid rent and the Dispute Resolution Officer ordered that the Landlord retain the \$437.50 security deposit in partial satisfaction of the claim. On this basis, as the disposition of the security deposit has been determined, I dismiss the Tenant's application because of no jurisdiction.

Conclusion

The Tenant's 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: April 03, 2012.

Residential Tenancy Branch