



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

This hearing was convened in response to an application by the Tenants pursuant to the *Residential Tenancy Act* (the "Act") for Orders as follows:

1. An Order for return of double the security deposit - Section 38
2. An Order to recover the filing fee for this application - Section 72.

The Tenant and Landlord were each given full opportunity to be heard, to present evidence and to make submissions.

### Issue(s) to be Decided

Are the Tenants entitled to the monetary amounts claimed?

### Background and Evidence

The tenancy began on December 1, 2010 and ended on March 30, 2012. At the outset of the tenancy, the Landlord collected a security deposit from the Tenants in the amount of \$382.50. The Tenant states that the forwarding address was provided in writing to the Landlord on March 31, 2012. The Landlord states that no forwarding address was provided by the Tenant and that upon receiving the Tenant's application for dispute resolution, the Landlord sent the Tenant a cheque in the amount of \$382.50 by registered mail. The Landlord verbally provided the tracking number for the registered mail and states that this mail has not been picked up. The Tenant states that if the Landlord has sent the cheque then the Tenant is okay with the amount. The Tenant states that they no longer live at the address provided in the application.

Analysis

Given the position of the Tenant that should the cheque refunding the original amount of the security deposit be received by the Tenant, that the Tenant will be satisfied, I dismiss the Tenant's application with leave to reapply should the Tenant not receive the cheque for \$382.50 from the Landlord.

Conclusion

The Tenant's 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 Act.

Dated: May 10, 2012.

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Residential Tenancy Branch