



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 tenants' application of May 29, 2012 for return of their security deposit on the grounds that the landlord did not return it within 15 days of the latter of the end of the tenancy or receipt of the tenant's forwarding address. The tenants also sought to recover the filing fee for this proceeding from the landlord.

At the commencement of the hearing, the attending tenant was advised of the lack of evidence on the file which included only a receipt from the landlord for payment of the security deposit.

The tenant stated that the landlord had been served with the Notice of Hearing by Express Post, but she had not submitted the tracking number and was unable to locate it for verification. Similarly, the tenant said that she did not have proof of having served the landlord with the tenants' forwarding address. As the tenant was unable to proceed, she asked to withdraw the present application.

Therefore, the tenants remain at liberty to apply again for return of the deposit in double if - when they have taken the appropriate steps and acquired the evidence - the landlord has not returned the deposit with 15 days of proven service of the forwarding address.

The present application is closed as having been withdrawn.

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: July 25, 2012.

Residential Tenancy Branch