



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

This hearing was scheduled to deal with cross applications. The landlords filed to retain all of part of the tenant's security deposit. The tenant applied for return of her security deposit. The landlords did not appear at the hearing and the tenant confirmed she was served with the landlords' application. Since the landlords failed to appear to present their application and the tenant appeared and was prepared to respond I dismissed the landlords' application without leave to reapply.

The tenant provided proof that she served the landlords with a copy of her application by registered mail sent on June 29, 2012. The registered mail was successfully delivered.

I proceeded to hear from the tenant with respect to return of the security deposit.

Issue(s) to be Decided

Is the tenant entitled to return of the security deposit?

Background and Evidence

Pursuant to a written tenancy agreement, the tenant paid a security deposit of \$675.00 on December 1, 2010. The tenancy ended May 31, 2012. The tenant provided the landlord with a forwarding address via an email dated June 4, 2012. The landlords filed their application using the tenant's forwarding address on June 21, 2012. The landlords' application has been dismissed.

Although the tenant requested an inspection of the property the landlords did not schedule a move-in inspection with her. During the hearing, the tenant stated that she only wants return of her security deposit and does not agree with any deductions from it since she hired professional cleaners to clean the unit at the end of the tenancy.

Analysis

The Act permits a landlord to file an Application for Dispute Resolution seeking authorization to make deductions from the security deposit. Since the landlords' request to make deductions from the security deposit has been dismissed I order the landlords to return the security deposit to the tenant immediately.

Provided to the tenant with this decision is a Monetary Order in the amount of \$675.00 to serve upon the landlords and enforce as necessary.

I do not order return of double the security deposit as the tenant did not apply for double and because the tenant did not provide her forwarding address to the landlords in writing in a manner that complies with section 88 of the Act.

Conclusion

The landlords are ordered to return the security deposit to the tenant. The tenant is provided a Monetary Order in the amount of \$675.00 to serve upon the landlords.

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: August 29, 2012.

Residential Tenancy Branch