



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, O, FF

### Introduction

A substantial amount of documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for a monetary order for \$1400.00

### Decision and reasons

The Residential Tenancy Act states that, if the landlord does not either return the security/pet deposits, get written permission from the tenant to keep the security/pet deposits, or apply for dispute resolution within 15 days after the later of the date the tenancy ends or the date the landlord receives the tenants forwarding address in writing, the landlord must pay the tenant double the amount of security/pet deposits.

The landlord has not returned the tenants full security/pet deposits or applied for dispute resolution to keep any or all of tenant's security/pet deposits and the time limit in which to apply is now past. The tenant has not given the landlord any written permission to keep the security/pet deposits.

The landlord did return the pet deposit in the amount of \$450.00, however it was not returned within the 15 day time frame as required.

This tenancy ended on May 14, 2012 and the landlord has admitted that she had a forwarding address for the tenant on the date the tenancy ended, and there is no evidence to show that the tenant's right to return of the deposits has been extinguished.

Therefore the landlord must pay double the amount of the security/pet deposits to the tenant.

The tenant paid a combined security/pet deposit of \$900.00, and therefore the landlord must pay \$1800.00, less the \$450.00 that was returned, for a total of \$1350.00.

I also order recovery of the \$50.00 filing fee.

### Conclusion

I have issued an order for the landlord to pay \$1400.00 to the tenant.

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 08, 2012.

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Residential Tenancy Branch