



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD, FF

### Introduction

This was the hearing of an application for payment of the balance of the tenant's security deposit. The hearing was conducted by conference call. The applicant was represented at the hearing by his wife and the landlord's representative called in and participated in the hearing.

### Conclusion

On July 30, 2012 the landlord's application for a monetary order and an order to retain the security deposit was dismissed without leave to reapply, but the Dispute Resolution Officer did not issue a monetary order to the tenants for the return of the deposit amount. The landlord returned all but \$154.56 of the original deposit amount. The tenant then applied for dispute resolution to obtain an order for payment of the balance of the deposit. After the application was filed and served on the landlord, the landlord returned the balance of the deposit.

Because the full deposit was not returned until after the tenant commenced this proceeding, I find that the tenant is entitled to recover the \$50.00 filing fee for this application and I grant the tenant a monetary order in the said amount. This order may be registered in the Small Claims Court and enforced as an order of that court.

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: November 06, 2012.

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Residential Tenancy Branch