



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC, FF

Introduction

Some 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 an application for an order for return of double the \$600.00 security deposit and a request for recovery of the \$50.00 filing fee.

Background and Evidence

This tenancy began on July 1, 2010 at that time a security deposit of \$600.00 was paid.

This tenancy ended in November 2012 and the landlord was served with a forwarding address in writing by registered mail on November 23, 2012. The landlord admits to having received the forwarding address in writing; however the landlord has not returned any of the security deposit.

The landlord has not applied for dispute resolution to keep any or all of the security deposit, nor has the tenant given the landlord any permission, written or otherwise, to keep the security deposit.

Analysis

The Residential Tenancy Act states that, if the landlord does not either return the security deposit, get the tenants written permission to keep all or part of the security deposit, 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 deposit.

The landlord has not returned the tenants security deposit or applied for dispute resolution to keep any or all of tenant's security deposit and the time limit in which to apply is now past.

Therefore the landlord must pay double the amount of the security deposit to the tenant.

The tenant paid a deposit of \$600.00, and therefore the landlord must pay \$1200.00.

I also allow the claim for recovery of the \$50.00 filing fee.

Conclusion

I have issued an Order for the respondent to pay \$1250.00 to the applicant.

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: March 13, 2013

Residential Tenancy Branch

