



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Gateway Property Management Corporation  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNSD FF

### Introduction

This hearing dealt with an application by the tenants for double recovery of the security deposit. One tenant and two agents for the landlord participated in the teleconference hearing.

Neither party submitted documentary evidence or raised any preliminary issues. The parties were given the opportunity to provide testimony regarding the application. I have reviewed all testimony. However, only the evidence relevant to the issues and findings in this matter are described in this decision.

### Issue(s) to be Decided

Are the tenants entitled to double recovery of the security deposit?

### Background and Evidence

The tenancy began on September 1, 2011. At the outset of the tenancy, the tenants paid the landlord a security deposit of \$550. The tenancy ended on November 30, 2012. The male tenant provided the landlord with the tenants' written forwarding address on that date. The landlord returned the security deposit of \$550 on January 16, 2013.

### Analysis

Section 38 of the Residential Tenancy Act requires that 15 days after the later of the end of tenancy and the tenant providing the landlord with a written forwarding address, the landlord must repay the security deposit or make an application for dispute

resolution. If the landlord fails to do so, then the tenant is entitled to recovery of double the base amount of the security deposit.

In this case, the tenancy ended on November 30, 2013, and the tenants provided their forwarding address in writing on that date. The landlord did not repay the security deposit or make an application for dispute resolution within 15 days of receiving the tenant's forwarding address in writing. I therefore find that the tenants are entitled to the doubled portion of their security deposit, in the amount of \$550.

As the tenants' application was successful, they are also entitled to recover the \$50 filing fee for the cost of this application.

### Conclusion

I grant the tenants an order under section 67 for the balance due of \$600. This order may be filed 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: May 7, 2013

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Residential Tenancy Branch