



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

This is an application filed by the Tenant for a monetary order for the return of double the security and/or pet damage deposits.

The Tenant has attended the hearing by conference call and gave undisputed testimony. The Landlord did not attend or submit any documentary evidence. The Tenant states that the Landlord was served with the notice of hearing package by Canada Post Registered Mail on April 18, 2013. The Tenant also states that the Landlord was served with the documentary evidence by Canada Post Registered Mail on May 7, 2013. The Landlord has provided in her direct testimony the Customer Receipt Tracking numbers for both packages as confirmation. I accept the undisputed evidence of the Tenant and find that the Landlord has been properly served with the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail.

Issue(s) to be Decided

Is the Tenant entitled to a monetary order?

Background and Evidence

The Tenant states that the Tenancy ended on January 30, 2013 and that she provided her forwarding address in writing to the Landlord on April 18, 2013 by Canada Post Registered Mail requesting the return of the \$475.00 security and the \$200.00 pet damage deposits. The Tenant states that the Landlord has failed to return both deposits and that she did not give permission for the Landlord to retain them.

The Tenant seeks a monetary order for the return of double the security and pet damage deposits.

Analysis

I accept the undisputed testimony of the Tenant and find that the Landlord has failed to return the \$475.00 security and the \$200.00 pet damage deposits. Pursuant to Section 38 of the Act, the Landlord having failed to return the security/pet damage deposits within 15 days of the end of the tenancy or the later of when the forwarding address in writing was received must pay the Tenant double the security/pet damage deposits. The Tenant is granted a monetary order under section 67 for \$1,350.00. This consists of the \$475.00 security deposit X 2 and \$200.00 pet damage deposit X 2). This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Tenant is granted a monetary order for \$1,350.00.

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: July 12, 2013

Residential Tenancy Branch