



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD MNDC FF

Introduction

This hearing dealt with an application by the tenant pursuant to the Residential Tenancy Act (the Act) for orders as follows:

- a) An Order to return double the security deposit pursuant to Section 38; and
- b) To recover the filing fee for this application.

Preliminary Issue: Jurisdiction

Under another file, these parties had a hearing on July 4, 2013 which was continued on August 12, 2013 and this tenant attended the hearing. The decision made on August 13, 2013 awarded the entire security deposit to the landlord to offset the amount found owing by the tenants. I find I have no jurisdiction in this matter as it has been previously heard and decided. When I explained to the applicant/tenant, he attempted to argue his case and said he disagreed with the decision which he had not received yet. I advised him that the remedy was to apply for a Review when he received the decision.

Conclusion:

Having found that I do not have jurisdiction in this matter I hereby dismiss all of the applicant's claims made herein. There shall be no recovery of the filing fee herein.

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 29, 2013

Residential Tenancy Branch