



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

This is an application filed by the Tenant for a monetary order for the return of double the security deposit and recovery of the filing fee.

The Tenant 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 originally served with the notice of hearing package by Canada Post Registered Mail on August 29, 2013. The Tenant clarified that the hearing package was returned as their address was incomplete. The Tenant states that she then personally attended the rental building on September 6, 2013 and gave the hearing package to the building manager, J.P. I accept the undisputed testimony of the Tenant and find that the Landlord has been properly served with the notice of hearing package and the submitted documentary evidence.

### Issue(s) to be Decided

Is the Tenant entitled to a monetary order?

### Background and Evidence

The Tenant states that the Tenancy ended on July 31, 2013 when she returned the keys to the rental unit to the building manager along with her forwarding address in writing for the return of her \$340.00 security deposit. The Tenant has provided a copy of the receipt issued by the Landlord when the security deposit was paid on September 6, 2012. The Tenant stated that as of the date of this hearing, the Landlord has failed to return the security deposit. The Tenant seeks a monetary order for the return of double the security deposit for failing to comply with the Act.

### Analysis

I accept the undisputed testimony of the Tenant and find that a claim has been established for the return of the \$340.00 security deposit. The Landlord has failed to return the security deposit within 15 days after the later of the end of the tenancy or when the forwarding address in writing was received by the Landlord. The Tenant is also entitled as per section 38 of the Act to the doubling of the security deposit. The Tenant has established a total monetary claim for \$680.00. The Tenant is also entitled to recovery of the \$50.00 filing fee. The Tenant is granted a monetary order for \$730.00. 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 \$730.00.

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: October 09, 2013

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Residential Tenancy Branch

