



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Coastline Management Group Inc.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD MNDC

Introduction

This hearing dealt with an application by the tenant for double recovery of the security deposit. Despite having been served the notice of hearing and application for dispute resolution by registered mail on July 22, 2013, the landlord did not attend the hearing.

Issue(s) to be Decided

Is the tenant entitled to double recovery of the security deposit?

Background and Evidence

The tenancy began in November 2011. At the outset of the tenancy, the tenant paid the landlord a security deposit of \$240. The tenancy ended on May 20, 2013. The tenant stated that she provided the landlord with her written forwarding address on that date. The landlord did not apply for dispute resolution to keep the deposit; however, he returned the base amount of the security deposit to the tenant in approximately September 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 May 30, 2013, and the tenant provided her forwarding address in writing on that date. The landlord failed to 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 tenant is entitled to the doubled amount of the security deposit, \$240.

Conclusion

I grant the tenant an order under section 67 for the balance due of \$240. 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: November 1, 2013

Residential Tenancy Branch

