



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 for a Monetary Order for \$600.00.

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

Has the applicant established a monetary claim for \$600.00?

Background and Evidence

This tenancy began on January 23, 2012 and a \$300.00 security deposit was collected at the beginning of the tenancy.

This tenancy ended on June 30, 2013, and the landlord was served a forwarding address in writing in person on July 2, 2013.

To date the landlord has not returned the security deposit, nor applied for dispute resolution to keep the security deposit.

The tenant has given no permission to the landlord to keep any or all of the security was.

Analysis

The Residential Tenancy Act states that, if the landlord does not either return the security deposit, get the tenants written permission to keep all or part of the security deposit, or apply for dispute resolution within 15 days after the later of the date the tenancy ends or the date the landlord receives the tenants forwarding address in writing, the landlord must pay the tenant double the amount of security deposit.

The landlord has not returned the tenants security deposit or applied for dispute resolution to keep any or all of tenant's security deposit and the time limit in which to apply is now past.

This tenancy ended on June 30, 2013 and the landlord has admitted that he received a forwarding address in writing by July 2, 2013 and there is no evidence to show that the tenant's right to return of the deposit has been extinguished.

Therefore the landlord must pay double the amount of the security deposit to the tenant.

The tenant paid a security deposit of \$300.00, and therefore the landlord must pay \$600.00 to the tenant.

Conclusion

I've issued a Monetary Order in the amount of \$600.00.

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: November 27, 2013

Residential Tenancy Branch

