



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

The tenant applies to recover a \$425.00 security deposit. Neither of the landlords attended for the hearing. The tenant has provided a registered mail receipt to show the landlords were served by registered mail sent December 4, 2014 but “refused by recipient” on December 10 and returned to the tenant. In these circumstances I find the landlords were duly served in accordance with s.89 of the *Residential Tenancy Act* (the “Act”).

On the tenant’s undisputed evidence I find that the tenancy ended on October 31, 2013 and that the tenant provided the landlords with a forwarding address in writing by hand on November 1, 2013. The landlords have failed to repay or apply to keep the deposit. In such circumstances they are subject to the deposit doubling penalty in s. 38 of the *Act*. The tenant has not claimed a doubling but under Residential Tenancy Policy Guideline 17 “Security Deposit and Set off” I am still to impose the penalty unless the tenant specifically declines it. He does not.

The tenant will have a monetary order against the landlords jointly and severally for \$900.00, being double the \$425.00 deposit plus the \$50.00 filing fee.

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: March 24, 2014

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Residential Tenancy Branch

