



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 the return of a \$400.00 security deposit.

The applicant testified that the respondent was served with notice of the hearing by personal service to the building manager at the rental complex; however the respondent did not join the conference call that was set up for the hearing.

It's my finding that the respondent has been properly served with notice of today's hearing and therefore the hearing was held in the respondent's absence.

All testimony was taken under affirmation.

Issue(s) to be Decided

Is the applicant entitled to a Monetary Order for the return of his security deposit?

Background and Evidence

The applicant testified that:

- This tenancy began on April 1, 2012 and ended on October 31, 2013.
- He paid a pet deposit of \$400.00 however the landlord has refused to return it deposit.
- He has not yet given the landlord a forwarding address in writing.

Analysis

The applicant has applied for an Order for return of his security deposit; however the applicant did not give the landlord a forwarding address in writing, as required by the Residential Tenancy Act, prior to applying for arbitration.

Therefore at the time that the tenant applied for dispute resolution, the landlord was under no obligation to return the security deposit and therefore this application is premature.

Conclusion

I therefore dismiss this claim with leave to re-apply.

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: April 14, 2014

Residential Tenancy Branch

