



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD FF

### Introduction

This hearing dealt with an application by the tenant for double recovery of the security deposit. The tenant and the landlord's agent attended the teleconference hearing.

### Issue(s) to be Decided

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

### Background and Evidence

The parties agreed that at the outset of the tenancy the tenant paid the landlord a security deposit of \$600. The tenancy ended on February 28, 2012. The tenant confirmed that he did not provide the landlord with his forwarding address prior to making his application on February 28, 2014.

### Analysis

Section 60 of the Act allows a party to make an application for dispute resolution within two years of the end of the tenancy. However, section 39 indicates that if a tenant does not provide the landlord with a written forwarding address within one year after the tenancy has ended, the landlord may keep the deposit and the tenant's right to claim the deposit is extinguished.

In this case, the tenant did not give the landlord his forwarding address in writing within one year after the tenancy ended, and therefore the tenant's right to claim the deposit has been extinguished.

Because his application was not successful, the tenant is not entitled to recover the filing fee for this application.

Conclusion

The tenant's application is dismissed.

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: June 20, 2014

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Residential Tenancy Branch

