



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, OLC, FF

### Introduction

This hearing was convened as a result of the tenants' application for dispute resolution under the Residential Tenancy Act (the "Act"). The tenants applied for a monetary order for a return of their security deposit, for an order requiring the landlord to comply with the Act, and for recovery of the filing fee paid for this application.

The tenant and landlord attended, the hearing process was explained and they were given an opportunity to ask questions about the hearing process.

At the outset of the hearing, each party confirmed that they had not submitted any documentary evidence for this hearing.

Thereafter both parties were provided the opportunity to present their evidence orally, respond to the other's submissions, and make submissions to me.

I have reviewed all evidence before me that met the requirements of the Dispute Resolution Rules of Procedure (Rules); however, I refer to only the relevant evidence regarding the facts and issues in this decision.

### Issue(s) to be Decided

Are the tenants entitled to a monetary order for a return of their security deposit, to an order requiring the landlord to comply with the Act, and to recovery of the filing fee paid for this application?

### Background and Evidence

The tenant submitted that his tenancy started on October 31, 2001, that tenant NM moved into the rental unit on October 31, 2012, and that the tenants vacated the rental unit on June 30, 2014. The tenant confirmed the rental unit was a single room occupancy in a multi-room home.

The tenant submitted further that he paid a security deposit of \$225, that he was not sure if he provided the landlord with a written forwarding address until he served the

landlord with his application for dispute resolution, and that the landlord has not returned his security deposit.

In response, the landlord submitted that these tenants were not listed on a tenancy agreement, that they rented a room from another tenant, and that he had not collected a security deposit from these tenants.

In response to my question, the tenant confirmed that he had paid someone else a security deposit and that he assumed that this person, presumably the responsible tenant, had paid the landlord.

### Analysis

As the tenant confirmed he had not paid the landlord a security deposit, I find the tenant submitted insufficient evidence that the landlord is obligated to return a security deposit. It appears from the tenant's testimony that he was an occupant on the premises and that the landlord had no obligations toward the applicants.

I therefore dismiss the tenants' application, without leave to reapply.

### Conclusion

The tenants' 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: December 15, 2014

---

Residential Tenancy Branch

