



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 the \$200.00 remainder of \$1300.00 of security and pet damage deposits.

The landlord acknowledges that he unilaterally withheld \$200.00 of the deposit money to pay for carpet cleaning following the end of the tenancy on June 1, 2014.

Section 38 of the *Residential Tenancy Act* requires that once a tenancy ends and once the landlord has received the tenant's forwarding address in writing, the landlord has 15 days to either repay the deposit money or to make an application to keep all or part of it. Noncompliance results in a penalty; the landlord must account for an amount double the deposit.

In this case the tenant provided a forwarding address in writing on May 27, 2014 and so the landlord is well outside the 15 day period. He paid \$1100.00 of the \$1300.00 total deposit money. The tenant is entitled to recover the \$200.00 balance claims in his application, doubled to \$400.00, plus the \$50.00 filing fee, for a total award of \$450.00.

The tenant will have a monetary order against the landlord in the amount of \$450.00.

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: January 08, 2015

Residential Tenancy Branch

