



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 501222 B.C. LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD, FF

Introduction

The tenants apply to recover a \$375.00 security deposit, doubled pursuant to s. 38 of the *Residential Tenancy Act* (the “Act”). They say that they vacated this premises on May 31, 2014 and provided a forwarding address to the landlord but have not received their security deposit back.

No one from the respondent numbered company attended. The tenants’ advocate produced a BC Assessment document showing that the numbered company is listed as the owner of the property and giving the address of M. R. Mgmt Services as the owner’s address. The application was sent to that address. At hearing Ms. P. for M.R. Mgmt Services acknowledged receipt.

I find that the respondent numbered company has been duly served in accordance with s. 89 of the *Act*.

On the uncontested evidence, the tenants are entitled to recover the \$375.00 security deposit from the landlord, the numbered company.

Section 38 of the *Act* states that once a tenancy has ended and once the landlord has been given a tenant’s forwarding address in writing the landlord must either repay the security or apply to keep it within 15 days. Failure to do so results in a penalty of double the deposit.

I find that s. 38 applies to these facts. I award the tenants double the deposit: \$750.00, plus recover of the \$50.00 filing fee. There will be a monetary order against the landlord in the amount of \$800.00, as claimed.

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 03, 2015

Residential Tenancy Branch

