



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNDC, MNR, OPR, MNDC

Introduction

The tenant brought an application to cancel a Notice to End the Tenancy for Non-Payment of Rent dated March 7, 2015, and a monetary Order for \$ 900.00 representing painting, moving and internet expenses. The landlord also applied for an Order for Possession and a monetary Order for unpaid rent. Only the tenant attended the application and advised that she had moved out of the unit on March 31, 2015, but requested the return of her security and pet deposit.

Issue(s) to be Decided

Is the tenant entitled to any relief including the return of her security and pet deposit?

Background and Evidence

The tenant testified that she served her application for dispute resolution in person on the landlord on March 13, 2015. The tenant testified that the tenancy began on November 1, 2014 with rent amounting to \$ 1,400.00 per month. The tenant testified that she paid a security and pet deposit amounting to \$ 900.00 on October 29, 2014. The tenant testified that she moved out on March 31, 2015 and gave her forwarding address to the landlord on that day by posting a copy of it to the refrigerator of the unit. The tenant testified that she had not consented to the landlord retaining any portion of her deposits and had not received her security and pet deposit back. The tenant requested the return of her deposits and abandoned all other claims.

Analysis

I find that the landlord was served with this application on March 13, 2015. I have dismissed all of the landlord's applications including one to retain the tenant's security and pet deposits. I accept the tenant's uncontradicted evidence that the tenancy has ended, that she gave the landlord her forwarding address in writing on March 31, 2015, had not received any portion of and had not consented to the landlord retaining any of the deposits. Accordingly pursuant to section 38 of the Act I Order that the tenant recover her deposits amounting to \$ 900.00.

Conclusion

I have dismissed all of the landlord's applications. I have granted the tenant a monetary Order amounting to \$ 900.00 which may be enforced in the Small Claims Court of BC. I have dismissed all other applications by the tenant. There will not be any recovery of the filing fee. The landlord must be served with a copy of this decision and Order.

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 20, 2015

Residential Tenancy Branch

