



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This was a hearing with respect to the tenant's application for the return of her security deposit and pet deposit. the hearing was conducted by conference call. The tenant called in and participated in the hearing. The landlord did not attend. The tenant testified that the landlord was served with the application and Notice of Hearing sent by registered mail on or about May 1, 2015. She testified that she confirmed through the Canada Post tracking information that the landlord received the registered mail. Based on the tenant's testimony, I accept that the landlord has been served with the application and Notice of Hearing

Issue(s) to be Decided

Is the landlord entitled to a monetary award for the return of her deposits and if so, in what amount?

Background and Evidence

The rental unit is the upper level of a house. The tenancy began December 1, 2014 for a six month term with rent in the amount of \$1,075.00 payable on the first of each month. The tenant paid a security deposit of \$537.50 and a pet deposit in the same amount on November 30, 2014.

The tenant moved out of the rental unit on April 1, 2015. She testified that she requested the return of her deposits by e-mail after she moved out. She said that the landlord wanted to make a deduction and promised to return the balance of her deposits by he never actually did so. The landlord has not applied for a monetary order to claim any amount from the deposits.

Analysis

In her application for dispute resolution filed on April 28, 2015, the tenant claimed the return of her deposits in the total amount of \$1,075.00. She did not request payment of double the amount of the deposits and she did not submit evidence to show that she provided the landlord with her forwarding address in writing before she filed her application for dispute resolution.

Proof that the landlord has been given the tenant's forward address in writing is a prerequisite to a claim for payment of double the deposit amounts. The tenant has not provided the necessary evidence, but based on her testimony I accept that the landlord has notice of this application and that he has not made any claim to return the deposits, but nonetheless has failed to return them to the tenant.

I find that the tenant is entitled to a monetary award for the return of her security deposit and pet deposit as claimed. The tenant is entitled to recover the \$50.00 filing fee for her application for a total award of \$1,125.00 and I grant the tenant a monetary order under section 67 in the said amount.

Conclusion

The tenant has been awarded the sum of \$1,125.00. This order may be registered in the Small Claims Court and enforced as an order of that court

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: October 06, 2015

Residential Tenancy Branch

