



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD OLC

Introduction

This hearing dealt with the tenant's application for recovery of the security deposit. The tenant and the landlord called in to the teleconference hearing.

Preliminary Issue – Application out of Time

The tenancy ended on or about April 15, 2014. The tenant could not provide evidence that she gave the landlord a forwarding address in writing. The tenant's application was made more than one year after the tenancy ended.

Under section 39 of the Act, if a tenant does not give a landlord a forwarding address in writing within one year after the end of the tenancy, the landlord may keep the security deposit, and the right of the tenant to the return of the security deposit is extinguished.

As the tenant did not provide evidence that she gave the landlord a forwarding address in writing within one year of the tenancy ending, the tenant's right to the return of the security deposit has been extinguished.

Conclusion

The tenant's 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: October 7, 2015

Residential Tenancy Branch

