



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, FF

Introduction

This hearing was scheduled to deal with a landlord's application for a Monetary Order for damage to the rental unit and authorization to keep all or part of the security deposit or pet damage deposit. The landlord appeared at the hearing but the tenant did not.

The landlord testified that he sent the hearing documents to the tenant via registered mail using an address provided to the landlord by the tenant's ex-girlfriend but the registered mail was returned. The landlord also stated that the tenant had vacated the rental unit before the tenant's girlfriend did and the tenant has not provided him with a forwarding address. The landlord stated that he does not know the whereabouts of the tenant. The landlord explained that a previous Application for Dispute Resolution (file number referenced on cover page of this decision) had been filed by the tenant's girlfriend and that case was dismissed since the tenant's girlfriend was found to be an occupant but not a tenant.

Upon review of the dispute resolution decision referred to above, I found the landlord's submissions consistent with facts presented to the previous Arbitrator and I accept that the landlord has not yet been provided a forwarding address in writing by the tenant.

The landlord indicated that he was prepared to withdraw this application with liberty to reapply and deal with the deposits as necessary if the tenant provides him with a forwarding address in the future. The landlord's application was dismissed with leave.

The security and/or pet damage deposits shall remain in trust for one year from the date the tenancy ended, to be administered in accordance with the Act should the tenant provide the landlord with a forwarding address in writing. If the tenant does not provide the landlord with a forwarding address in that time the tenant will be considered to have extinguished any claim for return of the deposits.

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: November 05, 2015

Residential Tenancy Branch

