



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

Introduction

The tenants apply to recover a security deposit, doubled pursuant to s. 38 of the *Residential Tenancy Act* (the “*Act*”).

The landlord did not attend the hearing within ten minutes after its scheduled start time.

The attending tenant showed that the landlord had been served with the application and notice of hearing by registered mail sent December 6, 2016 (tracking number shown on cover page of this decision).

Canada Post records show that the mail went “unclaimed by recipient.” On this evidence I find that the landlord has been duly served with the application in accordance with s. 89 of the *Act*.

On the uncontested evidence of the tenant Mr. F. I find that this tenancy ended on October 31, 2016, the tenants provided the landlord with a forwarding address in writing by registered letter dated November 9, 2016 and that the landlord has failed to either repay the deposit money or make application to retain it.

In these circumstances s. 38 of the *Act* entitles the tenants to double their \$1000.00 security deposit and so I award the tenants the amount of \$2000.00 plus recovery of the \$100.00 filing fee for this application.

There will be a monetary order against the landlord in the amount of \$2100.00 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: February 01, 2017

Residential Tenancy Branch