



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSDS-DR, FFT

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on March 24, 2020 (the “Application”). The Tenant sought return of the security deposit and reimbursement for the filing fee.

The Tenant and Landlord appeared at the hearing.

The Landlord had submitted an RTB decision on File Number 1 dated July 09, 2020 showing the Arbitrator awarded the Landlord compensation and allowed the Landlord to retain the Tenant’s security deposit in partial satisfaction of the monetary claim pursuant to section 72 of the *Residential Tenancy Act* (page 7).

I raised with the Tenant at the outset that the security deposit has already been dealt with by another Arbitrator on File Number 1. The Tenant acknowledged this but said the Arbitrator made errors in the decision. I told the Tenant I cannot re-consider the issue of the security deposit and that the decision on File Number 1 is a final and legally binding decision. I told the Tenant the only options open to her were to seek review through the RTB or judicial review. I told the Tenant there are requirements and timelines for both and she can look into that. I told the Tenant I would not re-consider the security deposit issue and therefore would dismiss the Application without leave to re-apply.

The Landlord agreed that the security deposit had been dealt with on File Number 1.

Given a decision on the security deposit has been made, I cannot re-consider the matter. Therefore, the Application is dismissed without leave to re-apply.

Conclusion

The Application is dismissed without leave to re-apply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: July 30, 2020

Residential Tenancy Branch