



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      MNSD & FF

### Introduction

A substantial amount of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by hand on March 5, 2009 but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issues(s) to be Decided

This is a request for an order against the landlord for double the \$500.00 security deposit for a total of \$1000.00.

### Decision and reasons

The landlord has not returned the tenants security deposit or applied for dispute resolution to keep any or all of tenant's security deposit and the time limit in which to apply is now past.



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The Residential Tenancy Act states that, if the landlord does not either return the security deposit or apply for dispute resolution within 15 days after the later of the date the tenancy ends or the date the landlord receives the tenants forwarding address in writing, the landlord must pay the tenant double the amount of security deposit.

This tenancy ended on February 1, 2009 and the landlord had a forwarding address in writing by February 1, 2009 and there is no evidence to show that the tenant's right to return of the deposit has been extinguished.

Therefore, I am required to order that the landlord must pay double the amount of the security deposit to the tenant.

The tenants paid a deposit of \$500.00 and therefore the landlord must pay \$1000.00 plus interest of \$4.65 for a total of \$1004.65.

I further order that the respondent bear the \$ 50.00 cost of the filing fee paid for this hearing.

## Conclusion

I've issued an order for the respondent to pay \$1054.65 to the applicants.

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: May 28, 2009.

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Dispute Resolution Officer