



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## DECISION

Dispute Codes      MNSD, FF

### Introduction

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for an order for return of double the \$650.00 security deposit for a total of \$1300.00 and a request for recovery of the \$50.00 filing fee.

### Decision and reasons

The landlord had previously applied for dispute resolution to get an order to keep the full security deposit; however the landlord failed to appear for that hearing and his application was dismissed without leave to reapply. The landlord therefore should have returned the security deposit at that time.

The landlord has not returned the tenants security deposit and the 15 day time limit in which to return it is now well past.

The landlord obviously was aware of the tenants forwarding address at the time he applied for dispute resolution and since it has been more than a year since his application was dismissed is my finding that he is well outside the 15 day time limit.

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

The tenant paid a deposit of \$650.00 and therefore I order that the landlord must pay \$1300.00 to the tenant.

I further order recovery of the \$50.00 filing fee.

#### Conclusion

I have issued a monetary order in the amount of \$1350.00.

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: March 25, 2011.

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Residential Tenancy Branch