



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNDC, MNSD, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested compensation for damage or loss under the Act, to retain all or part of the security deposit and to recover the filing fee from the tenants for the cost of this Application for Dispute Resolution.

Both tenants attended the hearing at the scheduled start time, 9 a.m.

The landlord did not attend the hearing and it was ended at 9:11 a.m.

A copy of the tenancy agreement supplied as evidence indicated that tenants had paid a deposit in the sum of \$575.00; this amount was also indicated in the details of the dispute section of the application.

The tenants requested return of the deposit.

Residential Tenancy Branch policy suggests that when a landlord applies to retain the deposit, any balance should be ordered returned to the tenant; I find this to be a reasonable stance.

Therefore, as the tenants attended the hearing and the landlord did not, I find that the landlord's application is dismissed.

Therefore, I find that the tenants are entitled to return of the deposit in the sum of \$575.00.

Conclusion

The landlord did not attend the hearing; their application is dismissed.

Based on these determinations I grant the tenants a monetary Order for return of the deposit in the sum of \$575.00. In the event that the landlord does not comply with this Order, it may be served on the landlord, filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court

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: June 07, 2012.

Residential Tenancy Branch