



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, MNSD

### Introduction

A substantial amount of 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.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is an application for an order for double the \$387.50 security deposit, for a total of \$775.00.

### Background and Evidence

This tenancy began on February 1, 2012 and ended of August 31, 2012.

At the beginning of the tenancy the tenant paid a security deposit of \$387.50.

The tenant served the landlord with a forwarding address in writing by registered mail that was mailed on October 3, 2012. The landlord has admitted receiving the forwarding address.

To date the landlord has failed to return any of the security deposit to the tenant.

### Analysis

The Residential Tenancy Act states that, if the landlord does not either return the security deposit, get the tenants written permission to keep all or part of 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.

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.

This tenancy ended on August 31, 2012 and since the forwarding address was mailed to the landlord on October 3, 2012, the landlord is deemed to have received the forwarding address in writing by October 8, 2012.

Further there is no evidence to show that the tenant's right to return of the deposit has been extinguished.

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

### Conclusion

I have issued an order for the respondent to pay \$775.00 to the applicant.

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 05, 2013

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Residential Tenancy Branch

