

IN THE MATTER between **HENRY MINOZA**, Applicant, and **FORT PROVIDENCE HOUSING ASSOCIATION**, Respondent;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act");

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer, regarding the rental premises at **FORT PROVIDENCE, NT**.

BETWEEN:

HENRY MINOZA

Applicant/Tenant

- and -

FORT PROVIDENCE HOUSING ASSOCIATION

Respondent/Landlord

ORDER

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife, in the Northwest Territories this 7th day of November, 2002.

Hal Logsdon
Rental Officer

IN THE MATTER between **HENRY MINOZA**, Applicant, and **FORT PROVIDENCE HOUSING ASSOCIATION**, Respondent.

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Respondent/Landlord

REASONS FOR DECISION

Date of the Hearing: November 5, 2002

Place of the Hearing: Fort Providence, NT

Appearances at Hearing: Henry Minoza, applicant
Allen Bouvier, representing the respondent

Date of Decision: November 5, 2002

REASONS FOR DECISION

The applicant alleged that the respondent had wrongfully disposed of personal property which was left in the rental premises after the termination of the tenancy. The applicant sought compensation for the loss of the personal property.

The applicant testified that he was formerly a tenant of unit 34. He stated that in January, 2002 the landlord informed him that he would be evicted and he vacated the premises. He stated that he left all of his personal belongings in the rental premises. He later removed some of the property but stated that the following items were removed from the premises by the landlord and left outside:

- 1 bed without frame
- 1 bed complete with frame
- 2 dressers
- 1 sewing machine
- 1 shelf

The applicant estimated the value of the items at \$1000.

The respondent disputed the allegations testifying that the tenancy agreement was terminated on December 31, 2001 pursuant to an order by a rental officer. An eviction order was obtained in March, 2002. The respondent stated that they told the applicant that the order would soon be enforced by the Sheriff and that the applicant vacated the premises, leaving all of his personal belongings in the premises. The respondent testified that the belongings remained in the premises until late in March when the applicant removed all of them.

In my opinion, the applicant has failed to provide sufficient evidence to support his allegations.

The onus is on the applicant to provide such evidence. In the light of the testimony of the respondent, I must dismiss the application.

Hal Logsdon
Rental Officer