

IN THE MATTER between **TERRY CAMSELL**, Applicant, and **GEORGE UNKA AND NOREDA UNKA**, Respondents;

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 **HAY RIVER, NT**.

BETWEEN:

TERRY CAMSELL

Applicant/Landlord

- and -

GEORGE UNKA AND NOREDA UNKA

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of six hundred fifty nine dollars and sixty six cents (\$659.66).

DATED at the City of Yellowknife, in the Northwest Territories this 21st day of January, 2003.

Hal Logsdon
Rental Officer

IN THE MATTER between **TERRY CAMSELL**, Applicant, and **GEORGE UNKA AND NOREND A UNKA**, Respondents.

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.

BETWEEN:

TERRY CAMSELL

Applicant/Landlord

-and-

GEORGE UNKA AND NOREND A UNKA

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: January 21, 2003

Place of the Hearing: Hay River, NT via teleconference

Appearances at Hearing: Susan West, representing the applicant

Date of Decision: January 21, 2003

REASONS FOR DECISION

The tenancy agreement between the parties was terminated on August 31, 2002 when the respondents vacated the rental premises. The applicant alleged that the respondents had failed to pay the full amount of rent during the tenancy and sought an order for the alleged balance of rent arrears. The applicant retained the security deposit of \$400 and alleged that the remaining rent arrears were \$699.20.

On January 2, 2003 the respondents indicated to the rental officer that they did not intend to appear at the hearing and did not dispute the rent arrears. They indicated that the arrears were \$1489.20 as at January 2, 2003 and that they intended on making another payment prior to the hearing. The applicant agreed with this balance. On January 15, 2003 the respondents provided a copy of a cheque for \$790 payable to the landlord's agent to the rental officer.

At the hearing, the landlord stated that the balance was now \$699.20 which took into account the payment of \$790. The applicant sought an order in that amount.

The applicant has neglected to take into consideration the interest that has accrued on the security deposit which I find to be \$39.54. This is calculated based on the interest rates required by the *Residential Tenancies Act* from June 16, 2000 to August 31, 2002. Taking the interest into account, I find the rent arrears to be \$659.66 calculated as follows:

Arrears as at January 2, 2003	\$1489.20
Payment-January 15, 2003	(790.00)
Interest on deposit	<u>(39.54)</u>
Balance of rent arrears	\$659.66

An order shall be issued requiring the respondents to pay the applicant rent arrears in the amount of \$659.66.

Hal Logsdon
Rental Officer