

IN THE MATTER between **THERESA ROSS**, Applicant, and **CLARA ALLEN**,
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 **INUVIK, NT**.

BETWEEN:

THERESA ROSS

Applicant/Tenant

- and -

CLARA ALLEN

Respondent/Landlord

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 18(5) of the *Residential Tenancies Act*, the respondent shall return the full security deposit and accrued interest to the applicant in the amount of five hundred seventy nine dollars and fourteen cents (\$579.14).

DATED at the City of Yellowknife, in the Northwest Territories this 11th day of March,
2003.

Hal Logsdon
Rental Officer

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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:

THERESA ROSS

Applicant/Tenant

-and-

CLARA ALLEN

Respondent/Landlord

REASONS FOR DECISION

<u>Date of the Hearing:</u>	March 5, 2003
<u>Place of the Hearing:</u>	Inuvik, NT
<u>Appearances at Hearing:</u>	Theresa Ross, applicant
<u>Date of Decision:</u>	March 11, 2003

REASONS FOR DECISION

The respondent was personally served with a Notice of Attendance on February 24, 2003 but failed to appear at the hearing. The hearing was held in her absence.

The tenancy agreement between the parties was terminated on November 30, 2002 when the applicant vacated the premises. The applicant testified that she had provided a security deposit of \$550 to the respondent on June 1, 2001. She indicated that she had not received a statement of the security deposit from the respondent. She sought the return of the deposit.

A landlord must provide a statement of the deposit within ten days after the termination of the tenancy agreement if the deposit or portion of the deposit is retained. I find no evidence of any statement of the deposit or any evidence to support the retention of any part of the deposit for repairs of the rental premises or rent arrears. I find no justification for the retention of the deposit.

The respondent is required to apply interest to the deposit in accordance with the *Residential Tenancies Act*. I find the interest due to be \$29.14. An order shall be issued requiring the respondent to return the security deposit and accrued interest to the applicant in the amount of \$579.14.

Hal Logsdon
Rental Officer