

IN THE MATTER between **809656 ALBERTA LTD**, Applicant, and **CARLA LAUINGER**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

**809656 ALBERTA LTD.**

Applicant/Landlord

- and -

**CARLA LAUINGER**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of nine hundred ninety five dollars (\$995.00).
2. Pursuant to section 14(6)(a) of the *Residential Tenancies Act* the respondent shall pay the applicant the remaining balance of the required security deposit in the amount of four hundred dollars (\$400.00)

DATED at the City of Yellowknife, in the Northwest Territories this 20th day of October, 2004.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **CARLA LAUINGER**, 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.

BETWEEN:

**809656 ALBERTA LTD.**

Applicant/Landlord

-and-

**CARLA LAUINGER**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** October 12, 2004

**Place of the Hearing:** Yellowknife, NT

**Appearances at Hearing:** Anisa Bhambhani, representing the applicant

**Date of Decision:** October 12, 2004

**REASONS FOR DECISION**

The respondent was served with a Notice of Attendance on October 2, 2004 but failed to appear at the hearing. The hearing was held in her absence.

The applicant alleged that the respondent had breached the tenancy by failing to pay the full amount of the security deposit required by the tenancy agreement. The applicant sought an order requiring the respondent to pay the alleged outstanding security deposit and terminating the tenancy agreement on October 31, 2004 unless the security deposit was paid in full. The applicant also testified that the respondent had failed to pay the rent for October, 2004.

The applicant provided a statement of account which indicated a balance of security deposit owing in the amount of \$400 and rent arrears in the amount of \$995. The written tenancy agreement between the parties has been in effect for more than three months, making the balance of the security deposit past due.

I find the respondent in breach of her obligation to pay the required security deposit and find the outstanding balance owing to be \$400. I also find the respondent in breach of her obligation to pay rent and find rent arrears in the amount of \$995. No termination order shall be issued as the applicant has not served a notice of early termination on the respondent for non-payment of the security deposit.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$995 and the balance of the security deposit in the amount of \$400.

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Hal Logsdon  
Rental Officer