

IN THE MATTER between **CHAD MUSICH AND CHARLENE MUSICH**,  
Applicants, and **ARON KAY AND ROSELIE ROBERT**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

**CHAD MUSICH AND CHARLENE MUSIC**

Applicants/Landlords

- and -

**ARON KAY AND ROSELIE ROBERT**

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 one thousand three hundred fifty dollars (\$1350.00).

DATED at the City of Yellowknife, in the Northwest Territories this 28th day of June,  
2004.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **CHAD MUSICH AND CHARLENE MUSICH**,  
Applicants, and **ARON KAY AND ROSELIE ROBERT**, 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:

**CHAD MUSICH AND CHARLENE MUSICH**

Applicants/Landlords

-and-

**ARON KAY AND ROSELIE ROBERT**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:**                   **June 2, 2004**  
  **Continued June 28, 2004**  
  **Continued July 6, 2004**

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

**Appearances at Hearing:**       **Chad Musich, applicant**  
  **Charlene Musich, applicant (June 28)**  
  **Aron Kay, respondent**  
  **Roselie Robert, respondent**

**Date of Decision:**                   **July 6, 2004**

**REASONS FOR DECISION**

The applicants alleged that the respondents had failed to pay rent and had failed to give proper notice to quit, resulting in a loss of rent after the tenancy had been terminated. The applicant sought an order requiring the respondents to pay the alleged rent arrears and compensation for lost rent.

The applicant testified that the rent for January and February, 2004 had not been paid. The applicant also testified that the respondents had not given proper notice and sought compensation for rent in March, 2004. The rent for the premises was \$1350/month.

The respondents disputed the allegations stating that the January rent was paid and that immediately after they had vacated the premises, it was rented to another person. The rental officer stated that he had contacted that person who had verified that she had taken possession of the premises on March 1, 2004. The hearing was then adjourned to permit the respondents to submit or authorize the release of income support records and to permit the applicants time to review their rent records.

The hearing was adjourned again on July 28, 2004 as one of the respondents was called out of town on a family matter.

When the hearing was continued on July 6, 2004 the applicant withdrew his request for an order

requiring the respondents to pay the January, 2004 rent and compensation for lost rent. The applicant sought only an order requiring the respondents to pay the February, 2004 rent in the amount of \$1350. The respondents consented to the issuance of that order.

I find the respondents in breach of their obligation to pay rent and find rent arrears in the amount of \$1350. An order shall issue requiring the respondents to pay the applicants rent arrears in the amount of \$1350.

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Hal Logsdon  
Rental Officer