

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **SEAN SMILEY**, 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:

**NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**

Applicant/Landlord

- and -

**SEAN SMILEY**

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 seven thousand two hundred forty two dollars and forty five cents (\$7242.45).

DATED at the City of Yellowknife, in the Northwest Territories this 28th day of April, 2005.

---

Hal Logsdon  
Rental Officer

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **SEAN SMILEY**, 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:

**NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**

Applicant/Landlord

-and-

**SEAN SMILEY**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** April 26, 2005

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

**Appearances at Hearing:** Krista Cooper, representing the applicant

**Date of Decision:** April 26, 2005

**REASONS FOR DECISION**

The respondent was served with a Notice of Attendance on April 15, 2005 but failed to appear at the hearing, The hearing was held in his absence.

The tenancy agreement between the parties was terminated when the respondent vacated the premises on or about April 20, 2005. The applicant testified that they had not yet dealt with the security deposit but anticipated that repairs and cleaning would be less than the deposit held. The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$7242.45.

I find the statement in order and find the respondent in breach of his obligation to pay rent. I find the rent arrears to be \$7242.45. An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$7242.45. After deducting any repair or cleaning expenses from the security deposit and accrued interest, the applicant shall apply any remainder of the deposit to the satisfaction of this order.

---

Hal Logsdon  
Rental Officer