

IN THE MATTER between **HANS BAUHAUS**, Applicant, and **STEPHEN SHARMAN**, 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:

HANS BAUHAUS

Applicant/Landlord

- and -

STEPHEN SHARMAN

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 fifteen dollars and forty five cents (\$15.45).

DATED at the City of Yellowknife, in the Northwest Territories this 19th day of February, 2007.

Hal Logsdon

Rental Officer

IN THE MATTER between **HANS BAUHAUS**, Applicant, and **STEPHEN SHARMAN**, 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:

HANS BAUHAUS

Applicant/Landlord

-and-

STEPHEN SHARMAN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 6, 2007

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Hans Bauhaus, applicant

Date of Decision: February 19, 2007

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail to the rental premises. The respondent failed to appear at the hearing and the hearing was held in his absence.

The tenancy agreement between the parties was terminated on December 6, 2006 when the respondent vacated the rental premises. The applicant retained the security deposit and issued a statement of the security deposit and deductions in accordance with section 18 of the *Residential Tenancies Act*.

The applicant stated that the carpet was badly stained and had to be replaced. The applicant provided a quotation to replace the carpet which indicated a replacement cost of \$932.80. The applicant also testified that the keys to the premises were not returned and the locks had to be changed at a cost of \$44.51.

A previous order (File #10-9251, filed on December 15, 2006) required the respondent to pay rent arrears in the amount of \$4800. No further rent arrears have accrued since that order was issued. Therefore the applicant has his relief for the outstanding rent. However, the applicant has now calculated interest on late rent payments in the amount of \$42.20 which I find to be in accordance with section 41 of the *Residential Tenancies Act*.

The applicant stated that the carpet was two years old. Assuming a useful life of ten years, I find the depreciated value of the carpet to be \$746.24. Applying the security deposit first to repairs, I find rent arrears in the amount of \$15.45, calculated as follows:

Security deposit	\$800.00
Interest on deposit	17.50
Carpet replacement	(746.24)
Lock change	(44.51)
Interest on arrears	<u>(42.20)</u>
Amount owing applicant	\$15.45

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$15.45.

Hal Logsdon
Rental Officer