

IN THE MATTER between **YKD PROPERTY MANAGEMENT**, Applicant, and **TIM DAVENPORT**, 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:

**YKD PROPERTY MANAGEMENT**

Applicant/Landlord

- and -

**TIM DAVENPORT**

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 five thousand four hundred fifty dollars (\$5450.00).

DATED at the City of Yellowknife, in the Northwest Territories this 2nd day of August, 2007.

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Hal Logsdon  
Rental Officer

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BETWEEN:

**YKD PROPERTY MANAGEMENT**

Applicant/Landlord

-and-

**TIM DAVENPORT**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** July 31, 2007

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

**Appearances at Hearing:** Jennifer Eggenberger, representing the applicant

**Date of Decision:** July 31, 2007

**REASONS FOR DECISION**

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

The applicant stated that she had recently become aware that the respondent had left the premises and permitted Rob Davenport to occupy the premises. No permission to assign or sublet was obtained from the landlord. The applicant stated that she was willing to enter into a new tenancy agreement with Rob Davenport commencing on August 1, 2007 and withdrew the request for an order to terminate the tenancy agreement.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears. The applicant provided a copy of the tenant ledger which indicated a balance of rent owing to July 31, 2007 in the amount of \$5450. The applicant stated that she held a security deposit of \$1400.

I find the ledger in order and find the respondent in breach of his obligation to pay rent. I find the rent arrears to be \$5450. An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$5450. The applicant shall prepare a statement of the security deposit in accordance with section 18 of the *Residential Tenancies Act* and, after deducting any costs of repair, shall apply any remainder to the satisfaction of this order.

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Hal Logsdon  
Rental Officer