

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **STEPHANIE LACORNE**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

STEPHANIE LACORNE

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 42(3)(e) of the *Residential Tenancies Act*, the respondent shall pay the applicant repair costs in the amount of eight hundred eighty five dollars and twenty four cents (\$885.24).

DATED at the City of Yellowknife, in the Northwest Territories this 28th day of August,
2007.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **STEPHANIE LACORNE**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

STEPHANIE LACORNE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 22, 2007

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Julie Forget, representing the applicant

Date of Decision: August 28, 2007

REASONS FOR DECISION

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

The tenancy agreement between the parties was terminated on August 17, 2007 when the respondent vacated the premises. The applicant retained the security deposit and accrued interest and sought an order for repair costs and rent arrears in excess of the retained security deposit.

The premises are subsidized public housing.

The security deposit statement and inspection reports were entered in evidence. The applicant has deducted repair costs in the amount of \$1749 which includes wall repairs (\$500), a lock change (\$50), packing, removal and storage fees (\$400), general cleaning (\$250), carpet cleaning (\$250), dump fees (\$50), administrative costs (\$150), and GST (\$99). The applicant testified that the repairs were made necessary due to the negligence of the respondent. The lock change was required because the keys to the premises were not returned. The applicant stated that the premises were not left in a reasonably clean condition.

The applicant also provided a copy of the rent statement in evidence which indicated a balance of rent owing in the amount of \$743.23. Included in that balance is the full unsubsidized rent for August, 2007 prorated to August 17, 2007. The applicant stated that the subsidy for August, 2007 had not been received from the Department of Education, Culture and Employment. The applicant stated that the respondent's case worker was on vacation and therefore she could not

confirm if the respondent had provided any income information on which to base the August, 2007 rent. The applicant stated that another worker had told her that they had no record of any income being reported. In my opinion, the evidence does not establish that the respondent failed to provide any income information. Therefore the August, 2007 rent can not be determined. The balance of rent owing at July 31, 2007 was \$128.

The costs associated with the removal and storage of abandoned personal property can be claimed from the respondent prior to releasing the property or recovered on the sale of the property if unclaimed. Relief for these costs is therefore denied.

I find the respondent in breach of her obligation to repair damages to the premises and find the repair costs reasonable. Applying the security deposit first to rent arrears and then to repair costs,

I find a balance of repair costs owing to the applicant of \$885.24 calculated as follows:

Security deposit	\$512.50
Interest	12.86
Wall repairs	(500.00)
Lock change	(50.00)
General cleaning	(250.00)
Carpet cleaning	(250.00)
Dump fees	(50.00)
Administration	(110.00)
GST	(72.60)
Rent arrears	<u>(128.00)</u>
Amount due applicant	\$885.24

An order shall issue requiring the respondent to pay the applicant repair costs in the amount of \$885.24.

Hal Logsdon
Rental Officer