

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **WILLIAM TAYLOR AND SHEILA TAYLOR**, 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 **INUVIK, NT**.

BETWEEN:

**NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**

Applicant/Landlord

- and -

**WILLIAM TAYLOR AND SHEILA TAYLOR**

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 seven hundred forty three dollars and sixty cents (\$743.60).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.

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

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Hal Logsdon  
Rental Officer

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BETWEEN:

**NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**

Applicant/Landlord

-and-

**WILLIAM TAYLOR AND SHEILA TAYLOR**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** April 25, 2007

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

**Appearances at Hearing:** Darrin Holmes, representing the applicant

**Date of Decision:** May 2, 2007

**REASONS FOR DECISION**

The respondents were served with Notices of Attendance sent by registered mail and confirmed delivered. The respondents failed to appear at the hearing and the hearing was held in their absence.

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondents to pay the alleged rent arrears and to pay future rent on time.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing in the amount of \$873.60.

The statement included a debit of \$80 representing a security deposit charge. The applicant sought leave to provide details on the security deposit at a later date and was permitted to do so.

The applicant later confirmed that a security deposit of \$1770 had been paid but no payments had been entered on the statement. The statement therefore overstates the amount of rent owing by \$80.

The statement also includes two late rent charges of \$25. As these are not in accordance with the provision for late rent penalties contained in section 41 of the Act, the penalties of \$50 are denied.

Adjusting the balance of rent owing accordingly, I find rent arrears in the amount of \$743.60

calculated as follows:

|                             |                |
|-----------------------------|----------------|
| Balance as per statement    | \$873.60       |
| less security deposit debit | (80.00)        |
| less penalties              | <u>(50.00)</u> |
| Amount owing applicant      | \$743.60       |

An order shall issue requiring the respondents to pay rent arrears in the amount of \$743.60 and to pay future rent on time.

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Hal Logsdon  
Rental Officer