

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **WILMA HENDRICK AND DONALD HENDRICK**, 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 -

**WILMA HENDRICK AND DONALD HENDRICK**

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 eight hundred seventy five dollars (\$875.00).
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

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **WILMA HENDRICK AND DONALD HENDRICK**, 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.

BETWEEN:

**NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**

Applicant/Landlord

-and-

**WILMA HENDRICK AND DONALD HENDRICK**

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 \$1800.

The statement includes a debit of \$1850 and a credit of \$925 representing a security deposit charge and a security deposit payment. 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 \$1850 had been paid but none of the payments had been entered on the statement. The applicant stated that the \$925 payment was likely an error. The statement therefore overstates the amount of rent owing by \$925.

Adjusting the balance of rent owing accordingly, I find rent arrears in the amount of \$875 calculated as follows:

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Balance as per statement	\$1800
less security deposit debit & credit	<u>(925)</u>
Amount owing applicant	\$875

An order shall issue requiring the respondents to pay rent arrears in the amount of \$875 and to pay future rent on time.

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Hal Logsdon  
Rental Officer