

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **MICHAEL VRANAS**, 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 **INUVIK, NT**.

BETWEEN:

**NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**

Applicant/Landlord

- and -

**MICHAEL VRANAS**

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 one thousand eighty nine dollars and seventy seven cents (\$1089.77).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 7th day of June, 2007.

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Hal Logsdon  
Rental Officer

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BETWEEN:

**NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**

Applicant/Landlord

-and-

**MICHAEL VRANAS**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** June 5, 2007

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

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

**Date of Decision:** June 5, 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 his absence.

The applicant noted that the respondent's name was incorrectly spelled on the application. The order shall reflect the correct spelling the respondent's name.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent. The applicant sought an order requiring the respondent 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 as at June 1, 2007 in the amount of \$1114.77. The statement includes a debit of \$25 charged on April 2, 2007. The applicant stated that the charge was for late payment of rent.

Section 41 of the *Residential Tenancies Act* sets out the permitted late rent penalty. As the penalty applied by the applicant is not in accordance with the Act, the penalty applied shall be denied.

With the exception of the penalty, I find the statement in order and find the respondent in breach of his obligation to pay rent. I find the rent arrears to be \$1089.77.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$1089.77 and to pay future rent on time.

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Hal Logsdon  
Rental Officer