

IN THE MATTER between **ROD MCCARTHY AND KELLY MCCARTHY**,
Applicants, and **DANNIC PLANTE**, 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:

ROD MCCARTHY AND KELLY MCCARTHY

Applicants/Landlords

- and -

DANNIC PLANTE

Respondent/Tenant

INTERIM 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 seven hundred fifty dollars (\$1750.00).
2. Pursuant to section 45(4)(c) of the *Residential Tenancies Act*, the respondent shall pay the applicant costs of water which were paid on behalf of the respondent in the amount of one thousand nine hundred seventy two dollars and five cents (\$1972.05).

DATED at the City of Yellowknife, in the Northwest Territories this 6th day of June, 2008.

Hal Logsdon
Rental Officer

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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:

ROD MCCARTHY AND KELLY MCCARTHY

Applicants/Landlords

-and-

DANNIC PLANTE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: June 3, 2008

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Rod McCarthy, applicant
Kelly McCarthy, applicant

Date of Decision: June 6, 2008

REASONS FOR DECISION

The respondent was personally served with a Notice of Attendance. The respondent failed to appear at the hearing and the hearing was held in his absence.

The applicants stated that the premises were abandoned by the respondent and they took possession of the premises on May 8, 2008. The applicants stated that possessions left in the premises have been stored and an inventory will be prepared.

The applicants alleged that the respondent failed to pay the April, 2008 rent in the amount of \$1750 and failed to pay for water during the term of the agreement which was his obligation pursuant to their verbal tenancy agreement. The applicant provided a statement of the water account which indicated that water costs had been transferred to taxes. The applicants stated that they paid the water costs on behalf of the tenant and the total costs during the term of the tenancy agreement were \$1972.05.

The applicants stated that there was significant cleaning and repair to be done in the premises but they had not had an opportunity to assess the costs. They stated that they did not hold a security deposit and intended to make a further claim for cleaning and repair costs.

At this time, I am only able to address the rent arrears and water costs. In my opinion, an interim order for those amounts is appropriate. When the applicants file their claim for repair and cleaning

costs and serve that claim on the respondent, I shall notify the parties and hear that claim as part of this application.

I find the respondent in breach of his obligation to pay rent and find the rent arrears to be \$1750. I also find the respondent in breach of his obligation to pay for water during the term of the agreement and find those costs, which were paid on his behalf by the applicants, to be \$1972.05.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$1750 and water costs in the amount of \$1972.05.

Hal Logsdon
Rental Officer
