

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **EDWIN AMAGONALOK**, 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 -

EDWIN AMAGONALOK

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 three thousand sixteen dollars and seventy six cents (\$3016.76).
2. Pursuant to section 42(3)(e) of the *Residential Tenancies Act*, the respondent shall pay the applicant cleaning and repair costs in the amount of three hundred seventy four dollars and thirty three cents (\$374.33).

DATED at the City of Yellowknife, in the Northwest Territories this 18th day of April, 2008.

Hal Logsdon
Rental Officer

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **EDWIN AMAGONALOK**, 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:

NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST

Applicant/Landlord

-and-

EDWIN AMAGONALOK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 1, 2008

Place of the Hearing: Inuvik, NT

Appearances at Hearing: Darrin Holmes, representing the applicant

Date of Decision: April 18, 2008

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 tenancy agreement between the parties was terminated on January 4, 2008. The applicant retained the security deposit (\$1900) and accrued interest (\$28.40) applying it against rent arrears (\$4945.16), general cleaning (\$260), replacement of a missing screen (\$50), administration (\$46.50) and GST (\$21.39) resulting in a balance owing to the applicant in the amount of \$3394.65. The applicant testified that the premises were not left in a reasonably clean condition and required cleaning and that a screen was missing from a bedroom.

I find the statement in order except for the improper calculation of the GST on cleaning and repairs. The applicant has charged 6% rather than 5%. Making that adjustment and applying the security deposit first to rent arrears, I find rent owing in the amount of \$3016.76 and the cleaning and repair costs to be \$374.33, calculated as follows:

Rent arrears	\$4945.16
less security deposit	(1900.00)
less interest	<u>(28.40)</u>
Rent owing applicant	\$3016.76

General cleaning	\$260.00
Screen replacement	50.00
Administration	46.50
GST	<u>17.83</u>
Cleaning costs due applicant	\$374.33

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$3016.76 and cleaning and repair costs in the amount of \$374.33.

Hal Logsdon
Rental Officer