

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,
Applicant, and **JANICE HAGEN**, Respondent;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
R-5 (the "Act") and amendments thereto;

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer,
regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

NORTHERN PROPERTY LIMITED PARTNERSHIP

Applicant/Landlord

- and -

JANICE HAGEN

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 sixty seven dollars and seventy cents (\$1067.70).
2. Pursuant to section 67(4) of the *Residential Tenancies Act*, the respondent shall pay the applicant compensation for use and occupation of the rental premises after the tenancy agreement was terminated in the amount of two thousand three hundred seventeen dollars and three cents (\$2317.03).

DATED at the City of Yellowknife, in the Northwest Territories this 2nd day of February,
2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,
Applicant, and **JANICE HAGEN**, 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 LIMITED PARTNERSHIP

Applicant/Landlord

-and-

JANICE HAGEN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 1, 2011

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Rosetta Morales, representing the applicant

Date of Decision: February 2, 2011

REASONS FOR DECISION

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

The tenancy agreement between the parties was terminated on December 3, 2010 by order (file #10-11714, filed on October 22, 2010). That order required the respondent to pay rent arrears and the rent for November and December, 2010 in three payments to avoid termination of the tenancy agreement. The respondent failed to make the second payment required on or before December 3, 2010. The applicant provided a statement of the rent account which indicated that the necessary payments had not been made. The respondent remains in possession. The applicant sought an order evicting the respondent and requiring her to pay additional rent arrears and compensation for use and occupation of the premises after the tenancy agreement was terminated.

The rent arrears ordered previously have been paid but additional rent arrears have accumulated since that order I find these arrears to be \$1067.70 calculated as follows:

Balance at Nov. 30, 2010	\$952.05
December 1-3, 2010	<u>115.65</u>
Total	1067.70

I find compensation for use and occupation of the premises after the tenancy agreement was terminated to be \$2317.03 calculated as follows:

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December 03-31	\$1079.35
January, 2011 rent	1195.00
February 01/2011	<u>42.68</u>
Total	\$2317.03

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$1067.70 and compensation for use and occupation in the amount of \$2317.03.

Hal Logsdon
Rental Officer