

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
STEPHANIE MCNEELY AND JOHN MCNEELY, Respondents;

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

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

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

STEPHANIE MCNEELY AND JOHN MCNEELY

Respondents/Tenants

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 six hundred fifty two dollars and ninety nine dollars (\$3652.99).

DATED at the City of Yellowknife, in the Northwest Territories this 18th day of
November, 2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
STEPHANIE MCNEELY AND JOHN MCNEELY, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

STEPHANIE MCNEELY AND JOHN MCNEELY

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: **October 29, 2013**

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

Appearances at Hearing: **Aya Burshan, representing the applicant**

Date of Decision: **November 14, 2014**

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 by disturbing other tenants in the residential complex. The applicant sought an order requiring the respondents to pay the alleged rent arrears and terminating the tenancy agreement.

The applicant stated that since the application was filed the respondents had abandoned the premises. The applicant stated that the respondents moved out on October 16, 2014. The applicant has retained the security deposit (\$1315) but has not produced a statement of the deposit or deductions. There has been no check out inspection completed.

The applicant provided a statement of the rent account which indicated a balance of rent owing of \$5605. The full October 2014 rent of \$1315 has been applied. I find the respondents in breach of their obligation to pay rent. I find the rent arrears to be \$4968.71 calculates as follows:

Balance as per ledger	\$5605.00
Less October/14 rent	(1315.00)
Rent - October 1-16	<u>678.71</u>
Total	\$4968.71

There being no evidence of any damages to the rental premises, the security deposit and accrued

interest should be applied to the rent arrears, resulting in a balance of rent owing to the applicant of \$3652.99 calculated as follows:

Security deposit	(1315.00)
Interest	(0.72)
Rent arrears	<u>4968.71</u>
Amount owing applicant	\$3652.99

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$3652.99.

Hal Logsdon
Rental Officer