

IN THE MATTER between **AK and JK**, Applicants, and **CC**, 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 **Adelle Guigon**, Rental Officer,

BETWEEN:

AK and JK

Applicants/Landlords

-and-

CC

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 18, 2017

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: AK, applicant
JK, applicant

Date of Decision: April 18, 2017

REASONS FOR DECISION

An application to a rental officer made by AK and JK as the applicants/landlords against CC as the respondent/tenant was filed by the Rental Office January 13, 2017. The application was made regarding a residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The filed application was served on the respondent by email deemed received January 20, 2017, pursuant to section 4(4) of the *Residential Tenancies Regulations* (the Regulations).

The applicant alleged the respondent had abandoned the rental premises, had accumulated rental arrears, had accumulated utilities arrears, had caused damages to the rental premises, and had left the rental premises in an unclean condition. An order was sought for payment of the rental arrears, payment of the utilities arrears, and payment of costs for repairs and cleaning.

A hearing was scheduled for April 18, 2017, in Yellowknife, Northwest Territories. AK and JK appeared as applicants. CC was served notice of the hearing by email deemed received April 2, 2017, pursuant to section 4(4) of the Regulations. The respondent did not appear at the hearing, nor did anyone appear on her behalf. The hearing proceeded in the respondent's absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Tenancy agreement

The applicants testified and evidence was presented establishing a residential tenancy agreement between the parties commencing September 16, 2016. The applicants discovered the respondent had abandoned the rental premises on or before January 15, 2017, at which time the applicants reclaimed possession of the premises. I am satisfied a valid tenancy agreement was in place in accordance with the Act.

Rental arrears

The statement of rent account entered into evidence represents the landlords' accounting of monthly rent and payments made against the respondent's rent account. Rent was established at \$2,050 per month. The last payment received against the rent account was recorded December 3, 2016, in the amount of \$1,500. The security deposit of \$1,000.17 was appropriately retained against the rental arrears.

I am satisfied the statement of rent account accurately reflects the current status of the respondent's rent account. I find the respondent has accumulated rental arrears in the amount of \$1,599.83.

Utilities

Section 23 of the written tenancy agreement sets out the tenant's responsibility to pay all utilities for the rental premises. The applicants testified and provided evidence establishing that the respondent had failed to pay the electricity bill throughout the tenancy.

I am satisfied the electricity statements accurately reflect the unpaid utility bills for which the respondent is responsible. I find the respondent liable to the applicants for unpaid utility bills in the amount of \$568.52.

Repairs and cleaning

The applicants testified and provided evidence establishing the following repairs and cleaning were necessary at the end of the tenancy:

Replace smoke alarms	\$184.38
Replace lamps	\$17.31
Unblock bathroom drain	\$50.00
Repair burn marks in carpets	\$188.90
Clean carpets	\$299.25
Removal and storage of abandoned personal property	\$518.18
Cleaning throughout and garbage disposal	\$800.00
Total	\$2,058.02

I am satisfied the above claimed damages were caused by the respondent's wilful or negligent conduct. I am satisfied that the rental premises was left in a less than ordinary state of cleanliness. I find the respondent liable to the applicants for the costs of repairs and cleaning in the amount of \$2,058.02.

Orders

An order will issue:

- requiring the respondent to pay rental arrears in the amount of \$1,599.83;
- requiring the respondent to pay utilities arrears in the amount of \$568.52; and
- requiring the respondent to pay costs of repairs and cleaning in the amount of \$2,058.02.

Adelle Guigon
Rental Officer