

IN THE MATTER between **NPRLP**, Applicant, and **JB and DF**, 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 **Adelle Guigon**, Rental Officer,

BETWEEN:

NPRLP

Applicant/Landlord

-and-

JB and DF

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: August 16, 2017

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: BL, representing the applicant

Date of Decision: August 16, 2017

REASONS FOR DECISION

An application to a rental officer made by NPRLP as the applicant/landlord against JB and DF as the respondents/tenants was filed by the Rental Office June 26, 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 respondents by email deemed received July 3, 2017, pursuant to section 4(4) of the *Residential Tenancies Regulations* (the Regulations).

The applicant alleged the respondents had accumulated rental arrears and sought an order for payment of the rental arrears.

A hearing was scheduled for August 16, 2017, in Yellowknife. BL appeared representing the applicant. JB and DF were served notices of the hearing by email deemed received July 3, 2017, pursuant to section 4(4) of the Regulations. The respondents did not appear at the hearing, nor did anyone appear on their behalf. The hearing proceeded in their absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Tenancy agreement

The applicant's representative testified and evidence was presented establishing a residential tenancy agreement between the parties commencing April 25, 2016. The respondents vacated the rental premises, ending the tenancy April 28, 2017. I am satisfied a valid tenancy agreement was in place in accordance with the Act.

Rental arrears

The resident ledger entered into evidence represents the landlord's accounting of monthly rent and payments received against the respondents' rent account. Rent was established at \$2,160 per month. Late payment penalties charged against the account were calculated in accordance with the Act and Regulations. The last payment received against the account was recorded March 10, 2017, in the amount of \$2,120.08, bringing the account to a zero balance.

The respondents failed to pay rent for April 2017. The respondents notified the applicant on April 28, 2017, that they had vacated the rental premises that day. No prior notice was given of their intention to vacate. The applicant was unable to secure a new tenant for May 1, 2017, given the short notice and charged the respondents the rent for May.

I am satisfied the respondents failed to give the applicant notice to terminate the tenancy agreement in accordance with the Act. I find the respondents abandoned the rental premises April 28, 2017. I find the respondents liable for lost future rent for May 2017. I am satisfied the resident ledger accurately reflects the current status of the respondents' rent account. I find the respondents accumulated rental arrears in the amount of \$4,389. The applicant retained a remaining security deposit balance of \$597.77 against the rental arrears balance, which will be accounted for in an order to pay.

Order

An order will issue requiring the respondents to pay rental arrears in the amount of \$3,791.23.

Adelle Guigon
Rental Officer