

IN THE MATTER between **NPRLP**, Applicant, and **KM**, 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:

NPRLP

Applicant/Landlord

-and-

KM

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: January 24, 2018

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: HC, representing the applicant
CDL, representing the applicant

Date of Decision: January 24, 2018

REASONS FOR DECISION

An application to a rental officer made by NPRLP as the applicant/landlord against KM as the respondent/tenant was filed by the Rental Office October 27, 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 November 20, 2017, pursuant to subsection 4(4) of the *Residential Tenancies Regulations* (the Regulations).

The applicant alleged the respondent had accumulated rental arrears and had repeatedly and unreasonably caused disturbances. An order was sought for payment of rental arrears, termination of the tenancy agreement, and eviction.

A hearing was scheduled for January 24, 2018, in Yellowknife. HC and CDL appeared representing the applicant. KM was served notice of the hearing by email deemed received November 20, 2017, pursuant to subsection 4(4) of the Regulations. The respondent did not appear at the hearing, nor did anyone appear on the respondent's behalf. The hearing proceeded in the respondent's absence pursuant to subsection 80(2) of the *Residential Tenancies Act* (the Act).

Tenancy agreement

The applicant's representatives testified and evidence was presented establishing a residential tenancy agreement between the parties commencing April 1, 2017. The respondent vacated the rental premises, effectively ending the tenancy January 16, 2018. As a result, the applicant's representatives withdrew their request for termination of the tenancy agreement and eviction as they are no longer necessary, and instead requested an order for payment of rental arrears and payment for costs of cleaning the rental premises. I am satisfied a valid tenancy agreement was in place in accordance with the Act.

Rental arrears

The resident ledgers entered into evidence represent the landlord's accounting of monthly rent, late payment penalties, and payments received against the respondent's rent account. The rent was established at \$1,595 per month. The respondent was only charged for half the month of January 2018. The late payment penalties were calculated in accordance with the Act and Regulations. The last payment received against the respondent's rent account was recorded October 4, 2017, in the amount of \$1,595. The security deposit of \$747.50 was retained against the accumulated rental arrears.

I am satisfied the resident ledgers accurately reflect the current status of the respondent's rent account. I find the respondent has accumulated rental arrears remaining in the amount of \$2,588.42.

Repairs and cleaning

The applicant's representatives testified and evidence was presented establishing that the rental premises had been left in an unclean condition when the respondent vacated. Cleaning was required throughout the premises, including to the floors, appliances, walls, and garbage and debris was left behind in the bathroom, bedroom, storage room, and kitchen. Additionally, the keys, FOB, laundry card, and parking pass were not returned to the applicant. Costs claimed to remedy these claims amounted to \$1,516.17.

I am satisfied the respondent failed to return the keys, FOB, laundry card, and parking pass at the end of the tenancy. I am satisfied the respondent failed to clean the rental premises. I am satisfied that the costs claimed to remedy the claims are reasonable. I find the respondent liable to the applicant for costs of cleaning and replacement of keys, FOB, laundry card, and parking pass in the amount of \$1,516.17.

Orders

An order will issue requiring the respondent to pay rental arrears in the amount of \$2,588.42 and requiring the respondent to pay costs of repairs and cleaning in the amount of \$1,516.17.

Adelle Guigon
Rental Officer