

IN THE MATTER between **NPRLP**, Applicant, and **PM**, 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-

PM

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 2, 2018

Place of the Hearing: Yellowknife, Northwest Territories

Appearances at Hearing: CDL, representing the applicant

Date of Decision: August 2, 2018

REASONS FOR DECISION

An application to a rental officer made by NPRLP as the applicant/landlord against PM as the respondent/tenant was filed by the Rental Office April 20, 2018. The application was made regarding a residential tenancy agreement for a rental premises located in Yellowknife, Northwest Territories. The filed application was sent to the respondent by registered mail which was returned to the sender as unclaimed on June 14, 2018. It was subsequently learned that the respondent had abandoned the rental premises without leaving a forwarding address or contact information. The applicant re-sent the filed application to the respondent's last known address by registered mail and the Rental Officer deemed it served July 23, 2018, pursuant to subsection 71(5) of the *Residential Tenancies Act* (the Act).

The applicant alleged the respondent had repeatedly failed to pay rent and had accumulated rental arrears. An order was sought for payment of rental arrears, termination of the tenancy agreement, and eviction.

A hearing scheduled for July 10, 2018, was cancelled due to the unsuccessful service of the notice of hearing. The hearing was re-scheduled to August 2, 2018, in Yellowknife. CDL appeared representing the applicant. PM was served notice of the hearing by registered mail sent to his last known address, and service was deemed July 23, 2018. Attempts to contact the respondent at the telephone number on file were unsuccessful. 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 Act.

Tenancy agreement

The applicant's representative testified and evidence was presented establishing a residential tenancy agreement between the parties commencing March 1, 2007. As mentioned, the respondent abandoned the rental premises, effectively ending the tenancy June 27, 2018. Consequently, the applicant's representative withdrew their request for termination of the tenancy agreement and eviction, and sought only an order for payment of rental arrears. 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 rents, late payment penalties, and payments made against the respondent's rent account. Rent was established at \$1,340 per month. Late payment penalties were calculated in accordance with the Act and *Residential Tenancies Regulations* (the Regulations). The last payment received against the respondent's rent account was recorded January 26, 2018, in the amount of \$2,000. The security deposit (including interest) of \$1,082.99 was retained against the 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 in the amount of \$7,225.13.

Order

An order will issue requiring the respondent to pay rental arrears in the amount of \$7,225.13.

Adelle Guigon
Rental Officer