

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,
Applicant, and **COLIN LAKER**, 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, **HAL LOGSDON**, Rental Officer,
regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

NORTHERN PROPERTY LIMITED PARTNERSHIP

Applicant/Landlord

- and -

COLIN LAKER

Respondent/Tenant

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 hundred ninety dollars (\$390.00).

DATED at the City of Yellowknife, in the Northwest Territories this 17th day of May,
2005.

Hal Logsdon
Rental Officer

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,
Applicant, and **COLIN LAKER**, 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 **Hal Logsdon**, Rental Officer.

BETWEEN:

NORTHERN PROPERTY LIMITED PARTNERSHIP

Applicant/Landlord

-and-

COLIN LAKER

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 12, 2005

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Lucy Gillard, representing the applicant

Date of Decision: May 17, 2005

REASONS FOR DECISION

The applicant testified that the respondent vacated the premises on or about April 12, 2005. The application was filed on April 19, 2005 and served on the respondent by registered mail sent to the rental premises. The respondent was served with a Notice of Attendance sent by registered mail to the rental premises. Section 71 of the *Residential Tenancies Act* outlines requirements for service of documents.

- 71. (1) Subject to subsection (3), any notice, process or document to be served by or on a landlord, a tenant or the rental officer may be served by personal delivery or by registered mail to the landlord at the address given in the tenancy agreement or mailed to the tenant at the address of the rental premises and to the rental officer at the address of the office of the rental officer.**
- (2) A notice, process or document sent by registered mail shall be deemed to have been served on the 7th day after the date of mailing.**

The respondent failed to appear at the hearing and the hearing was held in his absence.

The applicant alleged that the respondent had not paid the full amount of rent and had failed to leave the premises in a reasonable state of cleanliness. The applicant sought an order requiring the respondent to pay the alleged rent arrears and costs of cleaning the premises. The applicant testified that they did not hold any security deposit.

The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$390. The applicant charged a prorated amount of rent for April, 2005. The applicant also testified that the cleaning costs were \$149.80.

I find the rent statement in order and find the respondent in breach of his obligation to pay rent. I find the arrears to be \$390. The cleaning costs did not form a part of the application and I find no evidence that any demand for the cleaning costs was provided to the respondent. Compensation for the cleaning costs are therefore denied.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$390.

Hal Logsdon
Rental Officer