

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **LACEY CATHOLIQUE AND DEVON HERBACK**, 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, **HAL LOGSDON**, Rental Officer, regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

**NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**

Applicant/Landlord

- and -

**LACEY CATHOLIQUE AND DEVON HERBACK**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of two thousand four hundred seventy dollars and fifty nine cents (\$2470.59).

DATED at the City of Yellowknife, in the Northwest Territories this 31st day of December, 2005.

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Hal Logsdon  
Rental Officer

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-and-

**LACEY CATHOLIQUE AND DEVON HERBACK**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** December 16, 2005

**Place of the Hearing:** Yellowknife, NT

**Appearances at Hearing:** Sharon Hysert, representing the applicant

**Date of Decision:** December 31, 2005

**REASONS FOR DECISION**

The respondents were served with Notices of Attendance by registered mail sent to the rental premises. The respondents failed to appear at the hearing and the hearing was held in their absence.

The respondents vacated the premises on or about November 7, 2005. The applicant retained the security deposit and completed a statement of the deposit and deductions which was provided in evidence. The statement indicates that deductions were made for cleaning and rent arrears resulting in a balance owing to the landlord in the amount of \$2470.59. The applicant also provided a statement of the rent account in evidence and noted that no rent had been charged for November, 2005.

I find the statements in order and find the respondents in breach of their obligation to pay rent. I find the rent arrears to be \$2470.59. An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$2470.59.

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Hal Logsdon  
Rental Officer