

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **SALLY ESAU**, 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 **INUVIK, NT.**

BETWEEN:

NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST

Applicant/Landlord

- and -

SALLY ESAU

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 six hundred sixty six dollars and ninety one cents (\$666.91).

DATED at the City of Yellowknife, in the Northwest Territories this 2nd day of June, 2009.

Hal Logsdon
Rental Officer

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **SALLY ESAU**, 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 REAL ESTATE INVESTMENT TRUST

Applicant/Landlord

-and-

SALLY ESAU

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 28, 2009

Place of the Hearing: Inuvik, NT via teleconference

Appearances at Hearing: Lee Smallwood, representing the applicant

Date of Decision: June 2, 2009

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in her absence.

The application contained an abbreviated form of the applicant's name. The style of cause of the order shall reflect the full name of the applicant.

The tenancy agreement between the parties was terminated on March 31, 2009 when the respondent vacated the premises. The applicant retained the security deposit (\$2050) and accrued interest (\$41.89) applying it against wall repairs (\$195), wall painting (\$367), replacement of a screen (\$25), GST (\$33.75), administration (\$88.05) and rent arrears (\$2050) leaving a balance owing of \$666.91. The applicant sought an order requiring the respondent to pay that amount.

The applicant provided a statement of the security deposit, an itemised statement of repairs and an inspection report in evidence.

I find the statement in order and find the repair costs reasonable. Applying the security deposit and interest first to the repair costs, I find rent arrears in the amount of \$666.91 calculated as follows:

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Security deposit	\$2050.00
Interest	41.89
Repair costs	(708.80)
Rent arrears	<u>(2050.00)</u>
Amount owing applicant	\$666.91

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$666.91.

Hal Logsdon
Rental Officer