

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,
Applicant, and **BETTY KONGAYONA AND FRED KONGAYONA**, Respondents;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
R-5 (the "Act") and amendments thereto;

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 -

BETTY KONGAYONA AND FRED KONGAYONA

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 three hundred twenty seven dollars and fifty two cents (\$2327.52).

DATED at the City of Yellowknife, in the Northwest Territories this 19th day of
November, 2010.

Hal Logsdon
Rental Officer

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,
Applicant, and **BETTY KONGAYONA AND FRED KONGAYONA**, 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.

BETWEEN:

NORTHERN PROPERTY LIMITED PARTNERSHIP

Applicant/Landlord

-and-

BETTY KONGAYONA AND FRED KONGAYONA

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: November 10, 2010

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Rosetta Morales, representing the applicant

Date of Decision: November 10, 2010

REASONS FOR DECISION

The respondents were sent Notices of Attendance by registered mail. At the time of the hearing, there was no confirmation of receipt. The applicant withdrew their request for termination of the tenancy agreement. In my opinion, given that only a monetary order is requested and the accounting of the amount alleged owing appears to be in order, it is not unreasonable to deem the Notices of Attendance served pursuant to section 71(5) of the *Residential Tenancies Act*. The respondents did not appear at the hearing and the hearing was held in their absence.

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondents to pay the applicant the alleged rent arrears.

The applicant provided a statement of account in evidence which indicated a balance of rent owing in the amount of \$2327.52.

I find the statement in order and find the respondents in breach of their obligation to pay rent. I find the rent arrears to be \$2327.52.

An order shall issue requiring the respondents to pay the applicant rent arrears of \$2327.52.

Hal Logsdon
Rental Officer