

IN THE MATTER between **FORT SMITH HOUSING AUTHORITY**, Applicant, and
LYNETTE BLESSE AND MORGAN ABRAHAM, Respondents;

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

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer,
regarding the rental premises at **FORT SMITH, NT**.

BETWEEN:

FORT SMITH HOUSING AUTHORITY

Applicant/Landlord

- and -

LYNETTE BLESSE AND MORGAN ABRAHAM

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 seven hundred thirteen dollars and seventy seven cents (\$2713.77).

DATED at the City of Yellowknife, in the Northwest Territories this 19th day of
February, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT SMITH HOUSING AUTHORITY**, Applicant, and
LYNETTE BLESSE AND MORGAN ABRAHAM, 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:

FORT SMITH HOUSING AUTHORITY

Applicant/Landlord

-and-

LYNETTE BLESSE AND MORGAN ABRAHAM

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: February 6, 2013

Place of the Hearing: Fort Smith, NT

Appearances at Hearing: Kevin Mageean, representing the applicant

Date of Decision: February 6, 2013

REASONS FOR DECISION

The respondents were sent Notices of Attendance by registered mail. At the time of the hearing, there was no confirmation of delivery but the respondents were provided with a notice by Canada Post on January 21, 2013 advising them that they could pick up a registered mail item at the post office. The respondents failed to appear at the hearing. In my opinion, it is not unreasonable to deem the Notice of Attendance served in accordance with section 71(5) of the *Residential Tenancies Act*. The hearing was held in their absence.

The tenancy agreement between the parties was terminated on May 31, 2012. The applicant retained the security deposit (\$1000) and accrued interest (\$0.23) applying it against cleaning costs (\$270) and rent arrears (\$3444) resulting in an amount due to the applicant of \$2713.77. The applicant sought an order for that amount.

I find the statement in order. Applying the retained security deposit first to the cleaning costs, I find rent arrears owing to the applicant of \$2713.77.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$2713.77.

Hal Logsdon
Rental Officer