

IN THE MATTER between **DELINE HOUSING ASSOCIATION**, Applicant, and
JOSEPH KENNY, Respondent;

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 **DELINE, NT**.

BETWEEN:

DELINE HOUSING ASSOCIATION

Applicant/Landlord

- and -

JOSEPH KENNY

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 five hundred forty six dollars and forty nine cents (\$546.49).

DATED at the City of Yellowknife, in the Northwest Territories this 12th day of April,
2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **DELINE HOUSING ASSOCIATION**, Applicant, and
JOSEPH KENNY, 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:

DELINE HOUSING ASSOCIATION

Applicant/Landlord

-and-

JOSEPH KENNY

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 28, 2013

Place of the Hearing: Deline, NT via teleconference

Appearances at Hearing: Phebie Kenny, representing the applicant

Date of Decision: March 28, 2013

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail. At the time of the hearing there was no confirmation of receipt but the respondent was provided with a notice by Canada Post on March 7, 2013 that an item was available for him to pick up. The respondent failed to appear at the hearing and the hearing was held in his absence. 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 applicant stated that the premises were abandoned on January 15, 2013. The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$1374. The applicant sought an order requiring the respondent to pay the amount.

The applicant acknowledged that they held a security deposit but had not posted the deposit or the accrued interest to the ledger. The security deposit is \$827 and the accrued interest is \$0.51.

I find the ledger in order. Applying the security deposit and interest against the rent arrears, I find a balance of rent owing to the applicant of \$546.49.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$546.49.

Hal Logsdon
Rental Officer