

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and  
**CRYSTAL KONGAYONA**, 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 **INUVIK, NT.**

BETWEEN:

**NPR LIMITED PARTNERSHIP**

Applicant/Landlord

- and -

**CRYSTAL KONGAYONA**

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 two thousand five hundred eighty five dollars and fifty three cents (\$2585.53).
2. Pursuant to section 43(3)(e) of the *Residential Tenancies Act*, the respondent shall pay the applicant repair costs in the amount of six hundred forty nine dollars and ninety four cents (\$649.94).

DATED at the City of Yellowknife, in the Northwest Territories this 2nd day of January,  
2014.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and  
**CRYSTAL KONGAYONA**, 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:

**NPR LIMITED PARTNERSHIP**

Applicant/Landlord

-and-

**CRYSTAL KONGAYONA**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** November 20, 2013

**Place of the Hearing:** Inuvik, NT via teleconference

**Appearances at Hearing:** Aru Vashisht, representing the applicant  
Bright Lubansa, representing the applicant

**Date of Decision:** November 20, 2013

### **REASONS FOR DECISION**

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

The applicant stated that the respondent abandoned the rental premises on September 24, 2013.

The applicant retained the security deposit (\$450) and accrued interest (\$0.06) applying it to rent arrears (\$2585.53), painting (\$500), removal of personal belongings and garbage (\$150), carpet replacement (\$450) and general cleaning (\$150) leaving a balance owing to the landlord of \$3385.47. The applicant sought an order requiring the respondent to pay that amount.

The applicant provided a statement indicating a balance of rent and repairs costs totalling \$3385.47. The applicant also provided photographs of the premises and inspection reports in evidence.

The applicant stated that the living room carpet and paint were new at the commencement of the tenancy agreement in June, 2013. Although the tenancy lasted only three months, the applicant stated that the carpet suffered numerous stains and burns requiring replacement of the carpet. The applicant also stated that the living room walls required paint. The photographs of the premises and the inspection reports support the applicant's allegations and I find the repair costs sought by the applicant to be reasonable. The applicant also stated that considerable cleaning was required, an allegation supported by the photographic evidence.

I do not accept the \$150 charge for the removal of the respondent's personal belongings. Unless they were unsafe or unsanitary to store or of no value, they should have been removed, stored and an inventory filed with the rental officer. The Act permits the recovery of removal and storage costs from the tenant or on the sale of the goods. No inventory was filed nor was there any request to dispose or sell the goods.

I find the rent arrears to be \$2585.53. Taking into consideration the retained security deposit and interest and applying it to the repair and cleaning costs, I find repair costs owing to the landlord of \$649.94.

Painting	\$500.00
Cleaning	150.00
Carpet replacement	\$450.00
Less security deposit	(450.00)
Less interest	<u>(0.06)</u>
Repair costs due applicant	\$649.94

An order shall issue requiring the respondent to pay the applicant rent arrears of \$2585.53 and repair costs of \$649.94.

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Hal Logsdon  
Rental Officer