

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Clarissa Neyando**, 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, **Adelle Guigon**, Deputy Rental Officer, regarding a rental premises within **the town of Inuvik in the Northwest Territories**.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

CLARISSA NEYANDO

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$1,297.13 (one thousand two hundred ninety-seven dollars thirteen cents).
2. Pursuant to section 45(4)(d) of the *Residential Tenancies Act*, the respondent must pay to the applicant costs associated with cleaning the rental premises in the amount of \$350.00 (three hundred fifty dollars).

DATED at the City of Yellowknife in the Northwest Territories this 7th day of April 2014.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Clarissa Neyando**, 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 **Adelle Guigon**, Deputy Rental Officer.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

CLARISSA NEYANDO

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 20, 2014

Place of the Hearing: Inuvik, Northwest Territories, via teleconference

Appearances at Hearing: Aru Vashisht, representing the applicant

Date of Decision: March 20, 2014

REASONS FOR DECISION

An application to a rental officer made by NPR Limited Partnership as the applicant/landlord against Clarissa Neyando as the respondent/tenant was filed by the Rental Office January 22, 2014. The application was made regarding a residential tenancy agreement for the rental premises known as 55 Natala Drive in Inuvik, Northwest Territories. The applicant served a copy of the filed application package on the respondent by registered mail signed for February 7, 2014.

The applicant alleged at the time of making the application that the respondent had accumulated rental arrears and was seeking an order for payment of the rental arrears, termination of the tenancy agreement, and eviction. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for March 20, 2014. Ms. Aru Vashisht appeared representing the applicant. Ms. Clarissa Neyando was served with a notice of attendance by registered mail signed for March 10, 2014. Ms. Neyando did not appear at hearing, nor did anyone appear on her behalf. The hearing proceeded in her absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Ms. Vashisht testified that Ms. Neyando had entered into a tenancy agreement with the applicant for a fixed-term starting November 1, 2011, to April 30, 2012. A new fixed-term agreement was entered into for May 1, 2012, to April 30, 2013. The agreement was automatically renewed on May 1, 2013, to a periodic tenancy agreement on a month-to-month basis.

The tenant vacated the rental premises on February 28, 2014, after the filing of this application. As of that date the tenant had accumulated rental arrears of \$3,152.04 against which the security deposit of \$1,854.91 was applied, reducing the rental arrears to \$1,297.13.

Written entry and exit inspection reports were completed and provided to Ms. Neyando. The only costs claimed in relation to the condition of the rental premises are \$350 for steam cleaning. Ms. Vashisht confirmed at hearing that Ms. Neyando had a pet dog which necessitated the steam cleaning of the carpets at the end of the tenancy.

Ms. Vashisht testified that when Ms. Neyando moved out of the premises she said she would pay the rental arrears and cleaning costs. To date the applicant has had no contact from Ms. Neyando and no payments have been received.

Tenancy agreement

The rental agreement entered into evidence by the applicant establishes a continuous agreement between the parties for the rental premises known as 55 Natala Drive in Inuvik, Northwest Territories, starting November 1, 2011. I am satisfied a valid tenancy agreement was in place.

Rental arrears and steam cleaning

The resident ledger entered into evidence by the applicant is the landlord's accounting of charges applied to and payments made by the tenant during the tenancy. It includes the occasional application of late payment penalties. I am satisfied the ledger accurately reflects the application of rent and late payment penalties, and payments made by the tenant.

The move out statement entered into evidence by the applicant is the landlord's accounting of rental arrears at the end of the tenancy, steam cleaning costs, and the application of the security deposit against the arrears total. I am satisfied these amounts have been accurately reported.

The move in/out report is the entry/exit inspection report required under the Act. It does not specifically identify the condition of the carpet at the end of the tenancy, however, the keeping of a pet within the premises necessitates steam cleaning be done to return the carpet to a condition similar to what it was at the commencement of the tenancy and a state of ordinary cleanliness. In my opinion, \$350 is not an unreasonable amount to charge for steam cleaning a three-bedroom rowhouse.

I find the tenant has accumulated rental arrears and is responsible for the costs associated with steam cleaning the carpets in the rental premises. An order will issue requiring Ms. Neyando to pay to the applicant rental arrears in the amount of \$1,297.13 and costs associated with the cleaning of the carpet in the amount of \$350.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Rental agreement amendment to lease agreement signed November 13, 2012

Exhibit 2: Resident ledger dated January 15, 2014

Exhibit 3: Move in/out report dated November 1, 2010/February 28, 2014

Exhibit 4: Resident ledger dated March 20, 2014

Exhibit 5: Move out statement dated March 20, 2014