

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
MORGAN WATSYK, Respondent;

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 **YELLOWKNIFE, NT**.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

MORGAN WATSYK

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 thousand three hundred ninety one dollars and eighteen cents (\$5391.18).

DATED at the City of Yellowknife, in the Northwest Territories this 16th day of October,
2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
MORGAN WATSYK, 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-

MORGAN WATSYK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 17, 2014

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Aya Burshan, representing the applicant

Date of Decision: October 13, 2014

REASONS FOR DECISION

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

The applicant stated that the respondent had abandoned the premises on September 3, 2014. The applicant provided a statement of the rent account which indicated a balance of rent arrears as at September 17, 2014 of \$6866.53. The applicant holds a security deposit of \$1474.14. The monthly rent for the premises was \$2000.

I find the rent statement in order and find the respondent in breach of his obligation to pay rent. I find the rent arrears to be \$6866.53.

The applicant has not returned the security deposit or created a statement of deductions. Section 18 of the *Residential Tenancies Act* requires that a statement or an estimated statement be created within ten days after the tenancy agreement is terminated.

- 18.(7) A landlord who intends to withhold all or a portion of a security deposit, a pet security deposit or both shall, within 10 days after the day a tenant vacates or abandons the rental premises,**
- (a) give written notice to the tenant of that intention; and**
 - (b) subject to subsection (9), return the balance of the deposit or deposits to the tenant.**

Since the ten days have expired since the abandonment of the premises and there is no evidence of any security deposit statement, I shall assume that there were no repairs required and that the

security deposit and accrued interest should be applied directly to rent arrears. I find the interest on the security deposit to be \$1.21.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$5391.18 calculated as follows:

Security deposit	(1474.14)
Interest	(1.21)
Rent arrears	<u>6866.53</u>
Amount due applicant	\$5391.18

Hal Logsdon
Rental Officer