

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and  
**BRADLEY YUKON**, 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 **YELLOWKNIFE, NT.**

BETWEEN:

**NPR LIMITED PARTNERSHIP**

Applicant/Landlord

- and -

**BRADLEY YUKON**

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 one thousand two hundred sixty four dollars and sixty eight cents (\$1264.68).

DATED at the City of Yellowknife, in the Northwest Territories this 6th day of  
November, 2014.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and  
**BRADLEY YUKON**, 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-

**BRADLEY YUKON**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:**                      **October 8, 2014**

**Place of the Hearing:**                      **Yellowknife, NT**

**Appearances at Hearing:**                      **Aya Burshan, representing the applicant**

**Date of Decision:**                      **November 6, 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 abandoned the rental premises on October 3, 2014. The applicant holds a security deposit of \$1600 but has not yet conducted a check-out inspection or completed a statement of the security deposit, nor are they required to do so as the 10 day period has not yet expired.

The applicant provided a statement of the rent account which indicated a balance of rent owing of \$2755. The applicant sought an order requiring the respondent to pay the alleged rent arrears.

The applicant has charged rent for the full month of October, 2014 but the tenancy agreement was terminated by abandonment on October 3. Rent should only be charged for three days in October. I find that amount to be \$159.68. Having abandoned the premises, the respondent may be liable for lost rent subject to the landlords efforts to mitigate loss, but such a claim must be made with another application pursuant to section 62(2) of the *Residential Tenancies Act*.

I find the rent arrears to be \$1264.68 calculated as follows:

Balance as per statement	\$2755.00
Reverse October/14 rent	(1650.00)
Rent, Oct 1-3	<u>159.68</u>
Total	\$1264.68

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$1264.68.

The applicant shall complete the required statement of the security deposit in accordance with section 18 of the *Residential Tenancies Act* and shall apply the security deposit and accrued interest first to any repair costs. Any remainder of the deposit shall be applied to the satisfaction of this order.

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Hal Logsdon  
Rental Officer