

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Norma Nitsiza**,  
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 city of Yellowknife in the Northwest Territories**.

BETWEEN:

**NPR LIMITED PARTNERSHIP**

Applicant/Landlord

- and -

**NORMA NITSIZA**

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 \$1,810.22 (one thousand eight hundred ten dollars twenty-two cents).

DATED at the City of Yellowknife in the Northwest Territories this 10th day of August  
2015.

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Adelle Guigon  
Deputy Rental Officer

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Norma Nitsiza**,  
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-

**NORMA NITSIZA**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>July 22, 2015</b>
<b><u>Place of the Hearing:</u></b>	<b>Yellowknife, Northwest Territories</b>
<b><u>Appearances at Hearing:</u></b>	<b>Metslal Mesgun, representing the applicant</b>
<b><u>Date of Decision:</u></b>	<b>July 22, 2015</b>

### **REASONS FOR DECISION**

An application to a rental officer made by NPR Limited Partnership as the applicant/landlord against Norma Nitsiza as the respondent/tenant was filed by the Rental Office May 11, 2015. The application was made regarding a residential tenancy agreement for the rental premises known as E-109, 900 Lanky Court, in Yellowknife, Northwest Territories. The applicant personally served a copy of the filed application on the respondent May 13, 2015.

The applicant alleged the respondent had accumulated rental arrears and sought 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 July 22, 2015, in Yellowknife, Northwest Territories. Ms. Metslal Mesgun appeared representing the applicant. Arrangements had been made with Ms. Norman Nitsiza prior to scheduling the hearing to permit her attendance by telephone. Ms. Nitsiza was served a notice of attendance by email confirmed received June 30, 2015. Attempts to connect Ms. Nitsiza by telephone at the number she provided were unsuccessful. The hearing proceeded in her absence pursuant to section 80(2) of the *Residential Tenancies Act*.

#### *Tenancy agreement*

The residential lease entered into evidence establishes a tenancy agreement between the parties for the rental premises known as E-109, 900 Lanky Court, in Yellowknife, Northwest Territories. The tenancy commenced September 1, 2013. Ms. Mesgun testified and provided evidence that Ms. Nitsiza had vacated the rental premises and the landlord reclaimed possession on May 20, 2015. The request for termination of the tenancy and eviction were withdrawn as they are no longer necessary.

*Rental arrears*

The resident ledgers entered into evidence represent the landlord's accounting of monthly rents, late payment penalties, and payments made against the respondent's rent account. I am satisfied the ledgers accurately represent the respondent's rent account. I am satisfied the late payment penalties which have been applied against the respondent's rent account have been calculated in accordance with the *Residential Tenancies Act* (the Act) and the *Residential Tenancies Regulations* (the Regulations). I find the respondent has accumulated rental arrears in the amount of \$3,706.54.

*Security deposit*

The ledger also reflects the retention of the respondent's security deposit and interest, totalling \$1,896.32, against the rental arrears. I am satisfied the total security deposit was appropriately retained against the rental arrears, reducing the total rental arrears to \$1,810.22.

*Cleaning and repairs*

The applicant provided into evidence at hearing a move out statement which included charges for cleaning and repairs to the rental premises. Also provided were the check-in/out inspection reports. However, at the time of filing the application to a rental officer, none of these issues were included. The respondent has not been provided with a copy of the claims for cleaning and repairs, and the application was not formally amended prior to this hearing. The claims for cleaning and repairs were not considered at this time, although the landlord does retain the right to file a new application should they wish to pursue the claim.

*Order*

An order will issue requiring Ms. Norma Nitsiza to pay rental arrears in the total amount of \$1,810.22.

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Adelle Guigon  
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Resident ledger dated May 11, 2015

Exhibit 2: Applicant's correspondences to respondent dated: May 8, 2015; April 10, 2015;  
March 9, 2015

Exhibit 3: Residential lease signed September 3, 2013

Exhibit 4: Resident ledger dated July 22, 2015

Exhibit 5: Move in inspection report signed September 6, 2013

Exhibit 6: Move out inspection report

Exhibit 7: Move out statement dated July 22, 2015