

IN THE MATTER between **INUVIK HOUSING AUTHORITY**, Applicant, and
JENNIFER KUDLUK AND PETER ALLEN FORD, Respondents;

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:

INUVIK HOUSING AUTHORITY

Applicant/Landlord

- and -

JENNIFER KUDLUK AND PETER ALLEN FORD

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of one thousand seven hundred fifty seven dollars and ten cents (\$1757.10).
2. Pursuant to section 42(3)(e) of the *Residential Tenancies Act*, the respondents shall pay the applicant repair and cleaning costs in the amount of six thousand five hundred eleven dollars and thirty nine cents (\$6511.39).

DATED at the City of Yellowknife, in the Northwest Territories this 1st day of
September, 2015.

Hal Logsdon
Rental Officer

IN THE MATTER between **INUVIK HOUSING AUTHORITY**, Applicant, and
JENNIFER KUDLUK AND PETER ALLEN FORD, Respondents.

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:

INUVIK HOUSING AUTHORITY

Applicant/Landlord

-and-

JENNIFER KUDLUK AND PETER ALLEN FORD

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	July 16, 2015
<u>Place of the Hearing:</u>	Inuvik, NT via teleconference
<u>Appearances at Hearing:</u>	Kim Burns, representing the applicant
<u>Date of Decision:</u>	July 16, 2015

REASONS FOR DECISION

The respondents were sent Notices of Attendance by registered mail sent to the last known address of the respondent. The Notices of Attendance were returned to the rental office marked “moved”. The respondents failed to appear at the hearing. In my opinion, there are sufficient grounds to deem the Notice of Attendance served in accordance with section 71(5) of the *Residential Tenancies Act*. The hearing was held in the absence of the respondents.

The tenancy agreement between the parties was terminated on August 28, 2014 when the respondents vacated the premises. The applicant stated that they had made efforts to contact the respondents and believed that they would be able to locate their whereabouts within the time limitation imposed by section 68 of the *Residential Tenancies Act*. Leave was granted to extend the time limitation and the matter was heard.

Inspection reports and a statement of the security deposit and deductions were completed and provided in evidence along with photographs of the rental premises, invoices and detailed costs of the repair work performed.

The applicant provided a final statement of account which indicated a balance owing of \$8268.49 which included rent arrears (\$3058), repair costs (\$6511.39), the retained security deposit (\$1298) and the accrued interest on the security deposit (\$2.90).

The July and August, 2014 rents were charged at the unsubsidized rate of \$1625 and the August rent was prorated to reflect the days the respondents were in possession. The applicant stated that the unsubsidized rent was charged because the respondents failed to provide any income information on which to calculate a subsidized rent. The premises are subsidized public housing.

I find the statement in order and find that the repairs were made necessary due to the negligence of the respondents. I find the repair and cleaning costs to be reasonable. I find the application of the full unsubsidized rent to be reasonable.

Applying the retained security deposit and accrued interest first to the rent arrears, I find rent arrears owing to the applicant of \$1757.10 calculated as follows:

Security deposit	(1298.00)
Interest	(2.90)
Rent arrears	<u>3058.00</u>
Total	\$1757.10

An order shall issue requiring the respondents to pay the applicant rent arrears of \$1757.10 and repair and cleaning costs of \$6511.39.

Hal Logsdon
Rental Officer