

IN THE MATTER between **NORTH SLAVE HOUSING CORPORATION**,
Applicant, and **SARAH GARGAN AND TERRY ASLING**, 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,
regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

NORTH SLAVE HOUSING CORPORATION

Applicant/Landlord

- and -

SARAH GARGAN AND TERRY ASLING

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 58(1)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the rental premises known as 87A Morrison Drive, Yellowknife, NT shall be terminated on April 30, 2002 and the respondents shall vacate the rental premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 14th day of March,
2002.

Hal Logsdon
Rental Officer

IN THE MATTER between **NORTH SLAVE HOUSING CORPORATION**,
Applicant, and **SARAH GARGAN AND TERRY ASLING**, Respondents.

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BETWEEN:

NORTH SLAVE HOUSING CORPORATION

Applicant/Landlord

-and-

SARAH GARGAN AND TERRY ASLING

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: March 12, 2002

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Blair Barbour, representing the applicant
Roberta Bulmer, representing the applicant

Date of Decision: March 14, 2002

REASONS FOR DECISION

The applicant sought an order terminating the tenancy agreement between the parties pursuant to section 58 of the *Residential Tenancies Act*. The applicant has entered into an agreement for sale for the premises which requires that the applicant provide vacant possession on the closing date which is May 1, 2002. The applicant indicated that the purchaser intends to use the premises as her personal residence.

The application was filed on January 16, 2002. The tenancy agreement between the parties is made in writing and is month to month.

Section 58 of the Act permits a rental officer to make an order terminating a periodic tenancy agreement on the last day of a rent payment period not earlier than 90 days after the application is made provided three conditions are met:

1. The landlord has entered into an agreement of sale.
2. The agreement for sale requires that the vendor provide vacant possession to the purchaser.
3. The purchaser requires possession for the purpose of a residence for the purchaser or his/her immediate family.

I am satisfied that the conditions of the Act have been met and have heard no arguments as to why the tenancy should not be terminated or why the date of termination should be delayed past the statutory minimum.

An order shall be issued terminating the tenancy agreement between the parties on April 30, 2002. The respondents shall vacate the rental premises on that date.

Hal Logsdon
Rental Officer