

IN THE MATTER between **URBCO INC.**, Applicant, and **HAROLD SMART**,
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,
regarding the rental premises at **YELLOWKNIFE, NT.**

BETWEEN:

URBCO INC.

Applicant/Landlord

- and -

HAROLD SMART

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay all future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 6th day of May,
2002.

Hal Logsdon
Rental Officer

IN THE MATTER between **URBCO INC.**, Applicant, and **HAROLD SMART**,
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:

URBCO INC.

Applicant/Landlord

-and-

HAROLD SMART

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 1, 2002

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Sharon Hysert, representing the applicant
Kate Hurley, representing the applicant

Date of Decision: May 1, 2002

REASONS FOR DECISION

The respondent was served with a Notice of Attendance on April 17, 2002 but failed to appear at the hearing. The hearing was held in his absence.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent on the days it was due and sought an order requiring the respondent to pay future rent on time. The applicant testified that the respondent had paid all rent arrears and withdrew the request for termination which was contained in the application.

The applicant provided copies of the tenant ledger and the written tenancy agreement as evidence. The evidence indicated that rent had not always been paid on the first day of each month as required by the written tenancy agreement between the parties.

I find the respondent has breached the tenancy agreement by failing to pay rent on the days it is due. An order shall be issued for the respondent to pay all future rent on time.

Hal Logsdon
Rental Officer