

IN THE MATTER between **FORT MCPHERSON HOUSING ASSOCIATION**,
Applicant, and **DARCY FIRTH**, 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 **FORT MCPHERSON, NT**.

BETWEEN:

FORT MCPHERSON HOUSING ASSOCIATION

Applicant/Landlord

- and -

DARCY FIRTH

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 fifty six dollars (\$1256.00).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the rental premises known as 0137 Harriet Stewart Avenue, Fort McPherson, NT shall be terminated on October 31, 2002 and the respondent shall vacate the premises on that date, unless this order is fully satisfied.

DATED at the City of Yellowknife, in the Northwest Territories this 17th day of
September, 2002.

Hal Logsdon
Rental Officer

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Applicant, and **DARCY FIRTH**, Respondent.

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
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BETWEEN:

FORT MCPHERSON HOUSING ASSOCIATION

Applicant/Landlord

-and-

DARCY FIRTH

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 16, 2002

Place of the Hearing: Fort McPherson, NT via teleconference

Appearances at Hearing: Shirley Wilson, representing the applicant

Date of Decision: September 16, 2002

REASONS FOR DECISION

The respondent was served with a Notice of Attendance on September 4, 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 and sought an order requiring the respondent to pay the alleged rent arrears. The applicant provided a copy of the tenant ledger which indicated a balance of rent owing in the amount of \$1256. The ledger indicated that no payments of rent had been made since July 9, 2002. The applicant indicated that they wished the tenancy agreement terminated unless payment of these arrears was made by October 31, 2002.

I find the ledger in order. I find the respondent breached the tenancy agreement by failing to pay the lawful rent to the landlord. I find the rent arrears to be \$1256. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless these arrears are promptly paid. An order shall be issued requiring the respondent to pay the applicant the rent arrears of \$1256 and terminating the tenancy agreement on October 31, 2002 unless those arrears are paid in full.

Hal Logsdon
Rental Officer