

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **GEORGE MACKEINZO AND MARION MACKEINZO**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

GEORGE MACKEINZO AND MARION MACKEINZO

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondents shall comply with their obligation to pay for electricity by paying all current charges to the supplier.
2. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of two thousand fourteen dollars (\$2014.00).
3. Pursuant to section 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 2037 Sissons Court, Yellowknife, NT shall be terminated on December 31, 2003 and the respondents shall

vacate the premises on that date, unless the respondents have paid all current charges for electricity to the supplier and paid no less than one thousand three hundred thirty four dollars (\$1334.00) to the applicant.

DATED at the City of Yellowknife, in the Northwest Territories this 11th day of December, 2003.

Hal Logsdon
Rental Officer

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BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

GEORGE MACKEINZO AND MARION MACKEINZO

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	December 9, 2003
<u>Place of the Hearing:</u>	Yellowknife, NT
<u>Appearances at Hearing:</u>	Mary George, representing the applicant George Mackeinzo, respondent Marion Mackeinzo, respondent
<u>Date of Decision:</u>	December 9, 2003

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and by failing to pay for electricity which is their obligation pursuant to the tenancy agreement. The applicant sought an order requiring the respondents to comply with their obligation to pay for electricity and pay the alleged rent arrears and terminating the tenancy agreement between the parties.

The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$2014. The applicant also provided a statement of account between the respondents and the supplier of electricity which indicated a balance in arrears of \$419.21. The written tenancy agreement between the parties obligates the tenant to pay the cost of electricity for the premises during the term of the tenancy agreement.

The applicant stated that they would agree to permit the tenancy to continue if the respondents paid the electricity costs immediately, at least \$1334 of the outstanding arrears by December 31, 2003, and the balance of the rent arrears by January 31, 2004.

The respondents did not dispute the allegations and indicated that they could comply with the applicant's suggested payment schedule.

I find the respondents breached the tenancy agreement by failing to pay the lawful rent to the

landlord and by failing to pay for electricity in accordance with the written tenancy agreement. I find the rent arrears to be \$2014.

An order shall issue requiring the respondents to comply with their obligation to pay for electricity by paying the outstanding arrears to the electrical supplier and requiring the respondents to pay the applicant rent arrears in the amount of \$2014. The order shall terminate the tenancy agreement between the parties on December 31, 2003 unless the electrical account is paid to date and payments of rental arrears of no less than \$1334 are made to the applicant.

Hal Logsdon
Rental Officer