

IN THE MATTER between **401708 ALBERTA INC. O/A RANGE LAKE MANORS**,
Applicant, and **DON HIHAITOK AND SHEENA ENOOK**, 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:

401708 ALBERTA INC. O/A RANGE LAKE MANORS

Applicant/Landlord

- and -

DON HIHAITOK AND SHEENA ENOOK

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 nine hundred fourteen dollars and fifty nine cents (\$1914.59).
2. Pursuant to section 84(2) of the *Residential Tenancies Act*, the respondents may pay the rent arrears in monthly installments of no less than two hundred dollars (\$200.00), the first payment being due on February 15, 2004 and payable thereafter no later than the 15th day of every month until the rent arrears are paid in full.

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

DATED at the City of Yellowknife, in the Northwest Territories this 19th day of January, 2004.

Hal Logsdon
Rental Officer

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BETWEEN:

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Applicant/Landlord

-and-

DON HIHAITOK AND SHEENA ENOOK

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: January 13, 2004

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Marion Peddle, representing the applicant
Don Hihaitok, respondent
Sheena Enook, respondent

Date of Decision: January 13, 2004

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order to pay the alleged rent arrears and to pay future rent on time. The applicant withdrew the request for an order terminating the tenancy agreement in favour of an order requiring the respondents to pay in installments.

The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$1914.59. The respondents did not dispute the allegations and stated that they could pay the rent arrears in installments of \$200/month. The parties agreed that the installments would be due on the 15th of each month and commence in February, 2004.

I find the respondents breached the tenancy agreement by failing to pay the lawful rent to the landlord. I find the rent arrears to be \$1914.59. An order shall issue requiring the respondents to pay the applicant the rent arrears in monthly installments of no less than \$200, the first installment being due on February 15, 2004 and thereafter no later than the 15th day of each month. The order shall also require the respondents to pay the rent on time.

Should the respondents fail to pay the rent on time or fail to make payments of rent arrears in accordance with this order, the landlord may make a future application seeking the lump sum balance of any rent owing and/or termination of the tenancy agreement.

Hal Logsdon
Rental Officer