

IN THE MATTER between **MIDWEST PROPERTY MANAGEMENT**, Applicant,  
and **ROBERT HUTTON AND BRENDA HUTTON**, 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:

**MIDWEST PROPERTY MANAGEMENT**

Applicant/Landlord

- and -

**ROBERT HUTTON AND BRENDA HUTTON**

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 four thousand one hundred eighty five dollars (\$4185.00).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Apartment 216, 5302-51st Street, Yellowknife, NT shall be terminated on April 30, 2004 and the respondents shall vacate the premises on that date, unless 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 13th day of April, 2004.

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Hal Logsdon  
Rental Officer

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Applicant/Landlord

-and-

**ROBERT HUTTON AND BRENDA HUTTON**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** April 13, 2004

**Place of the Hearing:** Yellowknife, NT

**Appearances at Hearing:** Sharon Hysert, representing the applicant  
Wanda O'Keefe, representing the applicant

**Date of Decision:** April 13, 2004

**REASONS FOR DECISION**

The respondents were served Notices of Attendance on March 29, 2004 but failed to appear at the hearing. The hearing was held in their absence.

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondents to pay the alleged rent arrears and terminating the tenancy agreement. The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$4185. The statement indicated that no payments of rent had been received since January, 2004. The applicant served a notice of early termination on the respondents on February 11, 2004 seeking vacant possession of the premises on February 21, 2004. The respondents failed to vacate the premises.

I find the rent statement in order and find rent arrears of \$4185. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are promptly paid.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$4185 and terminating the tenancy agreement on April 30, 2004 unless the rent arrears are paid in full.

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Hal Logsdon  
Rental Officer