

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **ELIZABETH LOCKHART AND ALBERT WILLAH**, 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:

809656 ALBERTA LTD.

Applicant/Landlord

- and -

ELIZABETH LOCKHART AND ALBERT WILLAH

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 two hundred fifty five dollars (\$1255.00).
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 206, 42 Con Road, Yellowknife, NT shall be terminated on June 7, 2004 and the respondents shall vacate the premises on that date unless the rent arrears and rent for June, 2004 in the total amount of two thousand two hundred thirty dollars (\$2230.00) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 26th day of May, 2004.

Hal Logsdon
Rental Officer

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BETWEEN:

809656 ALBERTA LTD.

Applicant/Landlord

-and-

ELIZABETH LOCKHART AND ALBERT WILLAH

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: May 25, 2004

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Trena Scott, representing the applicant

Date of Decision: May 25, 2004

REASONS FOR DECISION

The respondents were served with Notices of Attendance on May 13, 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 termination of the tenancy agreement on May 31, 2004 unless the alleged arrears were paid in full. The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$1255. The applicant stated that the June rent would be \$975.

I find the statement in order and find the respondents in breach of their obligation to pay rent. I find the rent arrears to be \$1255. 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 \$1255. As the order is unlikely to be served on the respondents more than a few days before the end of May, the order shall terminate the tenancy agreement on June 7, 2004 unless the rent arrears and the June rent in the total amount of \$2230 are paid in full.

Hal Logsdon
Rental Officer