

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,
Applicant, and **FRANCES MANDEVILLE AND GARVIN LIZOTTE**, 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 **FORT RESOLUTION, NT**.

BETWEEN:

FORT RESOLUTION HOUSING AUTHORITY

Applicant/Landlord

- and -

FRANCES MANDEVILLE AND GARVIN LIZOTTE

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 84(3) and 41(4)(a) of the *Residential Tenancies Act*, the previous order (File #10-7937, filed on September 8, 2004) is rescinded and the respondents shall pay the applicant rent arrears in the amount of twenty eight thousand four hundred eighty five dollars (\$28,485.00).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Unit 0032, Fort Resolution, NT shall be terminated on February 15, 2005 and the respondents shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 27th day of January,
2005.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,
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-and-

FRANCES MANDEVILLE AND GARVIN LIZOTTE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: January 27, 2005

Place of the Hearing: Fort Resolution, NT via teleconference

Appearances at Hearing: Joyce Beaulieu, representing the applicant

Date of Decision: January 27, 2005

REASONS FOR DECISION

The respondents were served Notices of Attendance by registered mail which were confirmed delivered. The respondents failed to appear at the hearing and the hearing was held in their absence.

The applicant alleged that the respondents had breached a previous order requiring them to pay rent arrears in monthly installments. The applicant sought an order rescinding the previous order and ordering the lump sum payment of the arrears and termination of the tenancy agreement.

The applicant provided a copy of the rent ledger in evidence which indicated a balance of rent owing in the amount of \$28,485. The ledger indicated that since the issuance of the previous order, which required monthly payments of \$100 along with the rent, no payments had been made whatsoever.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$28,485. Three previous orders have been issued with no effect. It is clear that the respondents have no intention of paying the rent or the arrears. In my opinion, the only remaining remedy is termination.

An order shall issue rescinding the previous order and ordering the respondents to pay the balance of arrears in the amount of \$28,485. The tenancy agreement shall be terminated on February 15, 2005. The respondents shall vacate the premises on that date.

Hal Logsdon
Rental Officer