

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **COLLIN DIGNESS**, Respondent;

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 -

COLLIN DIGNESS

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of two hundred forty dollars (\$240.00).
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 205, 42 Con Road, Yellowknife, NT shall be terminated on February 4, 2005 and the respondent shall vacate the premises on that date, unless the rent arrears and the February, 2005 rent in the total amount of one thousand two hundred thirty five dollars (\$1235.00), is paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 26th day of January, 2005.

Hal Logsdon
Rental Officer

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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.

BETWEEN:

809656 ALBERTA LTD.

Applicant/Landlord

-and-

COLLIN DIGNESS

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: January 25, 2005

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Trena Scott, representing the applicant (by telephone)

Date of Decision: January 25, 2005

REASONS FOR DECISION

The respondent was served with a Notice of Attendance on January 7, 2005 but failed to appear at the hearing. The hearing was held in his absence.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement unless the arrears were promptly paid.

The applicant provided a copy of the tenant ledger which indicated a balance of rent owing in the amount of \$240. A previous order (File #10-7854, filed on May 5, 2004) required the respondent to pay rent on time. The ledger indicates that the rent account has been in arrears since November, 2004. The monthly rent for the premises is \$995.

I find the ledger in order and find the respondent in breach of his obligation to pay rent, I find the rent arrears to be \$240. 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 respondent to pay the rent arrears in the amount of \$240 and terminating the tenancy agreement on February 4, 2005 unless the rent arrears and the February, 2005 rent in the total amount of \$1235 is paid in full.

Hal Logsdon
Rental Officer