

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **HEATHER DOLAN AND DAVID KING**, 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 -

HEATHER DOLAN AND DAVID KING

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 two thousand eight hundred twenty one dollars and five cents (\$2821.05).
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 213, 5600 - 52 Avenue, Yellowknife, NT shall be terminated on June 30, 2005 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 15th day of June, 2005.

Hal Logsdon
Rental Officer

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **HEATHER DOLAN AND DAVID KING**, 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.

BETWEEN:

809656 ALBERTA LTD.

Applicant/Landlord

-and-

HEATHER DOLAN AND DAVID KING

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: June 14, 2005

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: David Beckwith, representing the applicant

Date of Decision: June 14, 2005

REASONS FOR DECISION

The respondents were served with a Notices of Attendance sent by registered mail to the address of the rental premises. The applicant testified that the respondents were still in possession of the premises. The respondents failed to appear at the hearing and the hearing was held in their absence.

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

The applicant provided a copy of the rent ledger in evidence which indicated a balance of rent owing in the amount of \$2821.05.

I find the ledger in order and find the respondents in breach of their obligation to pay rent. I find the rent arrears to be \$2821.05. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the balance of rent owing is promptly paid.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$2821.05 and terminating the tenancy agreement between the parties on June 30, 2005 unless the arrears are paid in full.

Should the tenancy continue, the respondents are also ordered to pay future rent on time.

Hal Logsdon
Rental Officer