

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **PHOEBE HARRIS AND EDDIE JOHN ERUTSE**, 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 -

PHOEBE HARRIS AND EDDIE JOHN ERUTSE

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 seventy three dollars and twenty six cents (\$1073.26).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement for the premises known as Apartment 106, 42 Con Road, Yellowknife, NT shall be terminated on October 31, 2006 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 October, 2006.

Hal Logsdon
Rental Officer

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **PHOEBE HARRIS AND EDDIE JOHN ERUTSE**, Respondents.

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BETWEEN:

809656 ALBERTA LTD.

Applicant/Landlord

-and-

PHOEBE HARRIS AND EDDIE JOHN ERUTSE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: October 12, 2006

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Corlee Gillard, representing the applicant
Phoebe Harris, respondent

Date of Decision: October 12, 2006

REASONS FOR DECISION

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 unless the alleged arrears were paid by October 31, 2006.

The applicant provided a copy of the rent ledger in evidence which indicated a balance of rent owing in the amount of \$1073.26.

The respondent did not dispute the allegations and indicated she could pay the balance owing by October 31, 2006.

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 \$1073.26. 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 \$1073.26 and terminating the tenancy agreement on October 31, 2006 unless the rent arrears are paid in full.

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

Hal Logsdon
Rental Officer