

IN THE MATTER between **YKD PROPERTY MANAGEMENT**, Applicant, and **PAUL MATWIY**, 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:

YKD PROPERTY MANAGEMENT

Applicant/Landlord

- and -

PAUL MATWIY

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 ten thousand one hundred ninety six dollars and forty two cents (\$10,196.42).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Apartment 9, 488 Range Lake Road, Yellowknife, NT shall be terminated on September 15, 2007 and the respondent shall vacate the premises on that date, unless a payment of no less than five thousand dollars (\$5000.00) is made to the applicant by the respondent.

DATED at the City of Yellowknife, in the Northwest Territories this 24th day of August, 2007.

Hal Logsdon
Rental Officer

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PAUL MATWIY, 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.

BETWEEN:

YKD PROPERTY MANAGEMENT

Applicant/Landlord

-and-

PAUL MATWIY

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 22, 2007

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Jennifer Eggenberger, representing the applicant
Paul Matwiy, respondent

Date of Decision: August 22, 2007

REASONS FOR DECISION

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.

The applicant provided a copy of the rent ledger in evidence which indicated a balance of rent owing in the amount of \$8096.42. The applicant testified that since the ledger was prepared the July, 2007 rent of \$1400 and the August rent of \$1400 had come due and a payment of \$700 was received on June 1, 2007, bringing the balance owing to \$10,196.42.

The respondent did not dispute the allegations and outlined the financial difficulties he had experienced over the past months. The respondent indicated a number of sources of income he expected in the short term and indicated that he was confident he could retire the debt in reasonably short order.

The applicant stated that she was willing to continue the tenancy if \$5000 of the arrears was paid on or before September 15, 2007 and the respondent indicated that he was confident he could do so.

I find the respondent in breach of his obligation to pay rent and find the rent arrears to be \$10,196.42. An order shall issue requiring the respondent to pay the applicant rent arrears in the

amount of \$10,196.42 and terminating the tenancy agreement on September 15, 2007 unless at least \$5000 of those arrears are paid to the applicant by the respondent. I leave it to the parties to arrange for the payment of the balance but if they are unable to do so, the applicant may seek further remedy through another application.

This decision was made known to the parties at the conclusion of the hearing.

Hal Logsdon
Rental Officer