

IN THE MATTER between **YKD PROPERTY MANAGEMENT**, Applicant, and **RICK MCMINN AND MARGO MCMINN**, 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:

YKD PROPERTY MANAGEMENT

Applicant/Landlord

- and -

RICK MCMINN AND MARGO MCMINN

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 four thousand five hundred dollars (\$4500.00).
2. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondents shall comply with their obligation to pay for water during the term of the tenancy agreement by paying all outstanding water costs to the City of Yellowknife.
3. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 4-486 Range Lake Road, Yellowknife, NT

shall be terminated on August 31, 2007 and the respondents shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 1st day of August, 2007.

Hal Logsdon
Rental Officer

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BETWEEN:

YKD PROPERTY MANAGEMENT

Applicant/Landlord

-and-

RICK MCMINN AND MARGO MCMINN

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: July 31, 2007

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Jennifer Eggenberger, representing the applicant
Margo McMinn, respondent

Date of Decision: July 31, 2007

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and by failing to pay for the costs of water during the term of the agreement. The applicant sought an order requiring the respondents to pay the alleged rent arrears and outstanding water costs and terminating the tenancy agreement.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$3000. The applicant also provided a statement of the water account which indicated a balance owing to the City of Yellowknife in the amount of \$623.16. The written tenancy agreement between the parties obligates the tenants to pay for water during the term of the tenancy agreement.

The respondent did not dispute the allegations and stated that they were unable to afford the rent and wished the tenancy agreement to be terminated. The parties agreed that the tenancy should be terminated by order on August 31, 2007 and that the order for rent arrears should include the August rent of \$1500.

I find the respondents in breach of their obligation to pay rent and their obligation to pay for water. An order shall issue requiring the respondents to pay rent arrears in the amount of \$4500, comply with their obligation to pay for water and terminating the tenancy agreement on August 31, 2007.

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

Hal Logsdon
Rental Officer