

IN THE MATTER between **YKD PROPERTY MANAGEMENT**, Applicant, and **SUSAN HUNT**, 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 -

SUSAN HUNT

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 thousand six hundred forty three dollars and eighty six cents (\$2643.86).
2. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondent shall comply with her 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) and 83(2) of the *Residential Tenancies Act*, the tenancy

agreement between the parties for the premises known as 9-486 Range Lake Road, Yellowknife, NT shall be terminated on August 31, 2007 and the respondent shall vacate the premises on that date unless the rent arrears and the August, 2007 rent in the total amount of four thousand two hundred forty three dollars and eighty six cents (\$4243.86) and all outstanding water costs are paid in full.

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

Hal Logsdon
Rental Officer

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SUSAN HUNT, 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-

SUSAN HUNT

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: July 31, 2007

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Jennifer Eggenberger, representing the applicant
Susan Hunt, respondent

Date of Decision: July 31, 2007

REASONS FOR DECISION

The applicant alleged that the respondent 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 respondent 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 \$2643.86. The applicant also provided a statement of the water account which indicated a balance owing to the City of Yellowknife in the amount of \$387.76. The written tenancy agreement between the parties obligates the tenant to pay for water during the term of the tenancy agreement.

The respondent did not dispute the allegations and stated that she wished to move to other accommodation which was more affordable but had not been able to find anything on the market. The respondent indicated that she could pay the outstanding rent and water charges if it was necessary to extend the tenancy and provide her with more time to seek suitable accommodation.

While I recognize the difficulty the respondent is having finding affordable accommodation, the applicant can not be expected to continue to provide shelter if the rent and water costs are not being paid. In my opinion, the tenancy should only be permitted to continue if the outstanding rent and water costs are paid in full. The August rent will be \$1600.

I find the respondent in breach of her obligation to pay rent and her obligation to pay for water. An order shall issue requiring the respondent to pay rent arrears in the amount of \$2643.86 and comply with her obligation to pay for water. The order shall terminate the tenancy agreement on August 31, 2007 unless the rent arrears and the August, 2007 rent in the total amount of \$4243.86 are paid in full and the outstanding water charges are paid in full.

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

Hal Logsdon
Rental Officer