

IN THE MATTER between **OWEN E. HACHEY**, Applicant, and **JOSEPHINE LAMALICE**, 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 **HAY RIVER, NT**.

BETWEEN:

OWEN E. HACHEY

Applicant/Landlord

- and -

JOSEPHINE LAMALICE

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife, in the Northwest Territories this 13th day of December, 2007.

Hal Logsdon
Rental Officer

IN THE MATTER between **OWEN E. HACHEY**, Applicant, and **JOSEPHINE LAMALICE**, 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:

OWEN E. HACHEY

Applicant/Landlord

-and-

JOSEPHINE LAMALICE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: November 20, 2007

Place of the Hearing: Hay River, NT via teleconference

Appearances at Hearing: Owen E. Hachey, applicant

Date of Decision: December 13, 2007

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail to the rental premises. The applicant testified that the respondent was in possession of the premises. The respondent failed to appear at the hearing and the hearing was held in her absence.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent on the days it was due and by failing to follow the rules regarding parking. The applicant sought an order requiring the respondent to pay future rent on time and to comply with the rules concerning parking.

The tenancy agreement provided in evidence was unsigned by either party. There was no evidence, such as a ledger or statement which would confirm the rent payment dates. The applicant was given an opportunity to submit a valid tenancy agreement and some evidence regarding rent payment dates but failed to provide any further evidence.

There is insufficient evidence to conclude that rent has been paid late or that the respondent has failed to comply with the rules regarding parking. Accordingly, the application is dismissed.

Hal Logsdon
Rental Officer