

IN THE MATTER between **AHMED EL SAIS**, Applicant, and **SARAH GOODWIN**, 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 **INUVIK, NT**.

BETWEEN:

AHMED EL SAIS

Applicant/Landlord

- and -

SARAH GOODWIN

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 five hundred dollars (\$2500.00).

DATED at the City of Yellowknife, in the Northwest Territories this 24th day of April, 2008.

Hal Logsdon
Rental Officer

IN THE MATTER between **AHMED EL SAIS**, Applicant, and **SARAH GOODWIN**, 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:

AHMED EL SAIS

Applicant/Landlord

-and-

SARAH GOODWIN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 2, 2008

Place of the Hearing: Inuvik, NT

Appearances at Hearing: Ahmed El Sais, applicant

Date of Decision: April 24, 2008

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in her absence.

The respondent's first name was mis-spelled on the application. The style of cause of the order shall reflect the proper spelling of her name.

The rental premises consist of a lot for mobile home.

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 testified that the rent was 10 months in arrears and the monthly rent for the premises was \$250, bringing the balance of rent owing to \$2500. A previous order (File #20-8794, filed on February 20, 2006) has been satisfied.

I find the respondent in breach of her obligation to pay rent and find the rent arrears to be \$2500.

The application seeks only an order to pay the alleged rent arrears. It does not request termination. There is no evidence that the respondent was served with a notice of early termination. It does not appear that the respondent has been made aware that the applicant is seeking to terminate the tenancy agreement. In my opinion, it is not reasonable to consider termination when the respondent has not been made aware that the applicant is seeking that

remedy. Therefore the request for an order terminating the tenancy agreement is denied. The applicant may make a future application seeking termination.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$2500.

Hal Logsdon
Rental Officer