

IN THE MATTER between **WEITZEL'S CONSTRUCTION LTD.**, Applicant, and **BARB MEMOGANA**, 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:

WEITZEL'S CONSTRUCTION LTD.

Applicant/Landlord

- and -

BARB MEMOGANA

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 nine hundred dollars (\$900.00).
2. Pursuant to section 63(4)(b) of the *Residential Tenancies Act*, the respondent shall pay the applicant compensation for use and occupation of the rental premises after the termination of the tenancy agreement in the amount of,
 - a) four thousand five hundred dollars (\$4500.00) plus,
 - b) fifty eight dollars and six cents (\$58.06) for each day in May, 2011 the respondent remains in possession of the rental premises.

DATED at the City of Yellowknife, in the Northwest Territories this 26th day of April, 2011.

Hal Logsdon
Rental Officer

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AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act");

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BARB MEMOGANA

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 21, 2011

Place of the Hearing: Inuvik, NT via teleconference

Appearances at Hearing: Marlyce LaRiviere, representing the applicant
Matthew Kuptana, representing the respondent

Date of Decision: April 21, 2011

REASONS FOR DECISION

The tenancy agreement between the parties was terminated by order on February 14, 2011 (file #20-11857, filed on January 27, 2011). The applicant stated that the respondent failed to make the payment required by the previous order to avoid termination and remains in possession of the rental premises. The applicant sought an order evicting the respondent from the premises.

The respondent stated that no payments have been made by the respondent since the previous order was issued. The monthly rent for the premises is \$1800.

The respondent's representative did not dispute the allegations and stated that the respondent intends to vacate the premises on April 30, 2011.

In addition to the rent arrears previously determined, I find additional rent owing from February 1, 2011 to February 14, 2011 of \$900.

The applicant is also entitled to compensation for use and occupation of the rental premises after February 14, 2011. I find that compensation to be:

February, 2011	\$900
March, 2011	1800
April, 2011	<u>1800</u>
Total	\$4500

plus \$58.06 for each additional day in May, 2011 that the respondent remains in possession of

the rental premises.

An eviction order shall issue separately.

Hal Logsdon
Rental Officer