

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **ERIC BRAATHEN**, Respondent;

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

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer, regarding the rental premises at **INUVIK, NT**.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

ERIC BRAATHEN

Respondent/Tenant

EVICTON ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 63(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondent shall be evicted from the premises known as Unit 104, 20 Bootlake Road, Inuvik, NT on September 16, 2013, unless the rent arrears and the rent for September, 2013 in the total amount of one thousand nine hundred dollars (\$1900.00) are paid in full on or before September 15, 2013.

DATED at the City of Yellowknife, in the Northwest Territories this 4th day of September, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **ERIC BRAATHEN**, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

ERIC BRAATHEN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 28, 2013

Place of the Hearing: Inuvik, NT

Appearances at Hearing: Doreen Philippa Vos, representing the applicant

Date of Decision: August 28, 2013

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail. At the time of the hearing there was no confirmation of receipt but the respondent was provided with a notice from Canada Post advising him of the item. I note that the filed application, also sent to the respondent by registered mail by the applicant was refused. The applicant stated that the respondent was still in possession and had been personally served with a copy of the filed application after the original, sent by registered mail, had been refused. In my opinion, it is not unreasonable to deem the Notice of Attendance served pursuant to section 71(5) of the *Residential Tenancies Act*. The respondent failed to appear at the hearing and the hearing was held in his absence.

The tenancy agreement between the parties will be terminated by order on September 15, 2013 unless the respondent pays the applicant rent arrears and the September, 2013 rent totalling \$1900 (file #20-13510, filed on September 4, 2013).

In my opinion, the eviction is justified if the respondent fails to pay the ordered amount and remains in possession of the premises after September 15, 2013.

Hal Logsdon
Rental Officer