

IN THE MATTER between **YELLOWKNIFE DAIRIES LTD. O/A YKD PROPERTY MANAGEMENT**, Applicant, and **SANDRA LOCKHART**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

YELLOWKNIFE DAIRIES LTD. O/A YKD PROPERTY MANAGEMENT

Applicant/Landlord

- and -

SANDRA LOCKHART

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 four thousand three hundred fourteen dollars and twenty eight cents (\$4314.28).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 5123 49th Street, Yellowknife, NT shall be terminated on June 30, 2014 and the respondent shall vacate the premises on that date unless the rent arrears are paid in full.
3. 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.

DATED at the City of Yellowknife, in the Northwest Territories this 4th day of June,
2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE DAIRIES LTD. O/A YKD PROPERTY MANAGEMENT**, Applicant, and **SANDRA LOCKHART**, 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:

YELLOWKNIFE DAIRIES LTD. O/A YKD PROPERTY MANAGEMENT

Applicant/Landlord

-and-

SANDRA LOCKHART

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: June 4, 2014

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Charles Wyman, representing the applicant

Date of Decision: June 4, 2014

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail which was confirmed delivered. 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 and by failing to pay for water. The applicant sought an order requiring the respondent to pay the alleged rent arrears and to comply with her obligation to pay for water. The applicant also sought an order terminating the tenancy agreement unless the rent arrears were paid in full.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing as at May 1, 2014 of \$3380.28. The applicant testified that since that date the June rent of \$1934 had come due and a payment of \$1000 was made on May 30 bringing the balance owing to \$4314.28.

The applicant also provided a notice from the City of Yellowknife indicating that the respondent's water account had a balance of \$1408.88 and advising that the balance would be transferred to the landlord's tax account on December 31, 2014 unless it was paid by the respondent. The applicant testified that the tenancy agreement between the parties obligated the tenant to pay for water during the term of the tenancy.

I find the respondent in breach of her obligation to pay rent and her obligation to pay for water. I

find the rent arrears to be \$4314.28. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are promptly paid.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$4314.28 and terminating the tenancy agreement on June 30, 2014 unless the rent arrears are paid in full. The respondent shall also be ordered to comply with her obligation to pay for water during the term of the tenancy agreement.

Hal Logsdon
Rental Officer