

IN THE MATTER between **Satdeo Inc.**, Applicant, and **Richard Winter**, 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, **Adelle Guigon**, Deputy Rental Officer, regarding a rental premises within **the town of Hay River in the Northwest Territories.**

BETWEEN:

SATDEO INC.

Applicant/Landlord

- and -

RICHARD WINTER

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$2,500.00 (two thousand five hundred dollars).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent must pay his rent on time in the future.
3. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties regarding the rental premises known as #705, 3 Capital Drive, in Hay River, Northwest Territories, will terminate September 30, 2014, and the respondent must vacate the rental premises on or before that date, unless the rental arrears are paid in full.

DATED at the City of Yellowknife in the Northwest Territories this 22nd day of July 2014.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Satdeo Inc.**, Applicant, and **Richard Winter**, 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 **Adelle Guigon**, Deputy Rental Officer.

BETWEEN:

SATDEO INC.

Applicant/Landlord

-and-

RICHARD WINTER

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: July 18, 2014
Place of the Hearing: Hay River, Northwest Territories
Appearances at Hearing: Malay Das, representing the applicant
Date of Decision: July 18, 2014

REASONS FOR DECISION

An application to a rental officer made by Satdeo Inc. as the applicant/landlord against Richard Winter as the respondent/tenant was filed by the Rental Office May 28, 2014. The application was made regarding a residential tenancy agreement for the rental premises known as #705, 3 Capital Drive, in Hay River, Northwest Territories. The applicant personally served a copy of the filed application on the respondent June 18, 2014.

The applicant alleged the respondent had accumulated rental arrears. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for July 18, 2014. Mr. Malay Das appeared representing the applicant. Mr. Richard Winter was served a notice of attendance by registered mail deemed served July 9, 2014, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). Mr. Winter did not appear at the hearing, nor did anyone appear on his behalf. The hearing proceeded in his absence pursuant to section 80(2) of the Act.

Mr. Das testified that Mr. Winter is in an oral tenancy agreement with the applicant for the rental premises known as #705, 3 Capital Drive, in Hay River, Northwest Territories, with an agreed upon monthly rent of \$1,000. To date Mr. Winter has only paid half of his rent for May 2014 and has not paid any of his rent for June and July 2014.

I am satisfied an oral tenancy agreement is in place in accordance with the Act, and I find that Mr. Winter has accumulated rental arrears to date in the amount of \$2,500.

Mr. Winter has had a previous rental officer order issued against him, #10-13551 dated August 19, 2013, which ordered the payment of rental arrears and that future rent be paid on time. Mr. Winter satisfied the order for payment of the rental arrears. I find Mr. Winter has breached the rental officer's order to pay his rent on time in the future by failing to pay his rent for May, June, and July 2014.

In consideration of Mr. Winter's repeated breach of his obligation to pay the full amount of his rent and to pay it on time, I am satisfied a conditional termination order is justified in the event Mr. Winter fails to pay the rental arrears in full.

An order will issue requiring Mr. Richard Winter to pay rental arrears in the amount of \$2,500, to pay his rent on time in the future, and terminating the tenancy September 30, 2014, unless the rental arrears are paid in full.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Applicant's correspondence to respondent dated May 6, 2014

Exhibit 2: Applicant's correspondence to respondent dated July 11, 2014