

IN THE MATTER between **D.E.**, Applicant, and **F.N. AND M.Z.**, Respondents.

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:

**D.E.**

Applicant/Landlord

-and-

**F.N. AND M.Z.**

Respondents/Tenants

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>October 24, 2018</b>
<b><u>Place of the Hearing:</u></b>	<b>Yellowknife, NT via teleconference</b>
<b><u>Appearances at Hearing:</u></b>	<b>L.L., representing the applicant B.H., representing the applicant</b>
<b><u>Date of Decision:</u></b>	<b>October 24, 2018</b>

**REASONS FOR DECISION**

The respondents were personally served with the filed application and a Notice of Attendance on September 28, 2018 but failed to appear at the hearing or contact the rental office. The hearing was held in their absence. The hearing was held by teleconference

The parties entered into a written monthly tenancy agreement commencing on August 31, 2016. The monthly rent is \$960. A copy of the tenancy agreement was provided by the applicant in evidence. The applicant stated that the tenants are still in possession of the rental premises.

The applicant alleged that the respondents had breached the tenancy agreement by repeatedly failing to pay the rent and sought an order requiring the respondents to pay the alleged rent arrears and terminating the tenancy agreement and evicting the respondents.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing as at September 18, 2018 of \$3633.88. The applicant testified that since that date the October rent of \$960 had come due and no payments had been received. The applicant also stated that they did not wish to seek the penalty for late rent of \$7.59 included in the statement total, resulting in a balance of rent owing of \$4586.29.

Balance as at September 18/2008	\$3633.88
Plus October rent	960.00
Less penalty	<u>(7.59)</u>
Total relief sought	\$4586.29

The applicant stated, and the statement indicates, that the last payment of rent was made on May 10, 2018. No rent has been paid for over five months.

I find the respondents in breach of their obligation to pay rent and find rent arrears of \$4586.29. In my opinion there are sufficient grounds to terminate the tenancy agreement and evict the respondents.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$4586.29 and terminating the tenancy agreement on November 15, 2018. An eviction order to be effective on November 16, 2018 shall also issue.

---

Hal Logsdon  
Rental Officer