

IN THE MATTER between **FRASER WEIR**, Applicant, and **TANYA TIGHE AND DALE BARDEAU**, 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, regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

FRASER WEIR

Applicant/Landlord

- and -

TANYA TIGHE AND DALE BARDEAU

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 58(1) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the rental premises known as 5FB028, Yellowknife Bay, Yellowknife, NT shall be terminated on January 31, 2002, and the respondents shall vacate the rental premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 22nd day of January, 2002.

Hal Logsdon
Rental Officer

IN THE MATTER between **FRASER WEIR**, Applicant, and **TANYA TIGHE AND DALE BARDEAU**, 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:

FRASER WEIR

Applicant/Landlord

-and-

TANYA TIGHE AND DALE BARDEAU

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: January 22, 2002

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Fraser Weir, applicant

Date of Decision: January 22, 2002

REASONS FOR DECISION

The respondents were served with notices of attendance on January 13, 2002 but failed to appear at the hearing. The hearing was held in their absence.

The applicant sought an order for the termination of the tenancy agreement between the parties pursuant to section 58(1) of the *Residential Tenancies Act*. The applicant testified that there was an agreement of sale in place for the premises, a houseboat in Yellowknife Bay, and that the agreement required the applicant to provide vacant possession. The applicant also testified that the purchaser intends to use the premises as his personal residence and that the tenancy agreement between the parties is a periodic agreement. The application was filed on October 31, 2001 and served on the respondents on November 13, 2001.

Section 58 of the Act permits a rental officer to terminate a tenancy under these conditions on the last day of a rent period no sooner than 90 days after the application is made. In my opinion, the requested date of termination, January 31, 2002, is appropriate.

An order shall be issued terminating the tenancy agreement between the parties on January 31, 2002. The respondents shall vacate the rental premises on that date.

Hal Logsdon
Rental Officer