

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **CRAIG WALTERS AND VIOLET WALTERS**, 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:

809656 ALBERTA LTD.

Applicant/Landlord

- and -

CRAIG WALTERS AND VIOLET WALTERS

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of three thousand two hundred thirty dollars (\$3230.00).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the rental premises known as Apartment #311, 48 Con Road, Yellowknife, NT shall be terminated on January 31, 2002 and the respondents shall vacate the premises on that date unless payment of no less than five hundred dollars (\$500.00) is made to the applicant.

3. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the rental premises known as Apartment #311, 48 Con Road, Yellowknife, NT shall be terminated on February 15, 2002 and the respondents shall vacate the premises on that date unless the balance of the rent arrears and the rent for February, 2002 in the amount of four thousand one hundred five dollars (\$4105.00) is paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 23rd day of January, 2002.

Hal Logsdon
Rental Officer

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **CRAIG WALTERS AND VIOLET WALTERS**, 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:

809656 ALBERTA LTD.

Applicant/Landlord

-and-

CRAIG WALTERS AND VIOLET WALTERS

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: January 22, 2002

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Rashda Mirza, representing the applicant
Violet Walters, respondent
Craig Walters, respondent

Date of Decision: January 22, 2002

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order for alleged rent arrears and termination of the tenancy agreement. The applicant provided copies of the tenant rent ledger which indicated a balance of rent arrears in the amount of \$3230.

The respondents did not dispute the allegations but testified that a loss of income had made it difficult to pay the full monthly rent. The respondents indicated that they could make some payment in January and the balance in February. The applicant was willing to continue the tenancy if the arrears were paid promptly but preferred full payment by January 31, 2002.

I find that the respondents breached the tenancy agreement by failing to pay the lawful rent to the landlord. I find the rent arrears to be \$3230. In my opinion, there are grounds to terminate the tenancy agreement between the parties unless the arrears are promptly paid.

An order shall be issued for the respondents to pay the applicant rent arrears in the amount of \$3230. The tenancy agreement shall be terminated on January 31, 2002 unless payment of at least \$500 is made by the respondents to the applicant. Provided that payment is made and the tenancy agreement continues, the remaining balance of the arrears (\$2730) and the rent for the month of February, 2002 (\$1375) shall be paid no later than February 15, 2002 otherwise the tenancy agreement between the parties shall be terminated on that date.

Hal Logsdon
Rental Officer