

IN THE MATTER between **NORTH SLAVE HOUSING CORPORATION**,  
Applicant, and **ALEX BEAULIEU**, 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,  
regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

**NORTH SLAVE HOUSING CORPORATION**

Applicant/Landlord

- and -

**ALEX BEAULIEU**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 58(1)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the rental premises known as 87B Morrison Drive, Yellowknife, NT shall be terminated on April 30, 2002 and the respondent shall vacate the rental premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 14th day of March,  
2002.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **NORTH SLAVE HOUSING CORPORATION**,  
Applicant, and **ALEX BEAULIEU**, Respondent.

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AND IN THE MATTER of a Hearing before **Hal Logsdon**, Rental Officer.

BETWEEN:

**NORTH SLAVE HOUSING CORPORATION**

Applicant/Landlord

-and-

**ALEX BEAULIEU**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** March 12, 2002

**Place of the Hearing:** Yellowknife, NT

**Appearances at Hearing:** Blair Barbour, representing the applicant  
Roberta Bulmer, representing the applicant  
Alex Beaulieu, respondent

**Date of Decision:** March 14, 2002

**REASONS FOR DECISION**

The applicant sought an order terminating the tenancy agreement between the parties pursuant to section 58 of the *Residential Tenancies Act*. The applicant has entered into an agreement for sale for the premises which requires that the applicant provide vacant possession on the closing date which is May 10, 2002. The applicant indicated that the purchaser intends to use the premises as her personal residence.

The application was filed on January 16, 2002. The tenancy agreement between the parties is made in writing and is month to month.

Section 58 of the Act permits a rental officer to make an order terminating a periodic tenancy agreement on the last day of a rent payment period not earlier than 90 days after the application is made provided three conditions are met:

1. The landlord has entered into an agreement of sale.
2. The agreement for sale requires that the vendor provide vacant possession to the purchaser.
3. The purchaser requires possession for the purpose of a residence for the purchaser or his/her immediate family.

In my opinion, these conditions have been met.

The respondent argued that a provider of subsidized public housing should not be permitted to

sell rental premises. The respondent argued that he should be given more time to find suitable accommodation.

There are no provisions in the *Residential Tenancies Act* which prevent a provider of subsidized public housing from obtaining an order terminating a tenancy agreement under section 58. My investigation of the matter through officials with the NWT Housing Corporation, who administer the program, indicated no prohibition on the sale of units. The applicant indicated that the respondent had been placed on the waiting list for the next suitable unit and was a high priority for placement. The applicant was also referred to two other social housing agencies in the city who may be able to place the respondent in suitable housing. The respondent indicated that he had not followed up with these agencies.

I see no reason why the order for termination should not be made. The evidence suggests that the respondent has been aware of the pending sale since early January. In my opinion nearly four months represents a reasonable time period to arrange alternate accommodation. To extend the date of termination past April 30, 2002 would only serve to inconvenience the purchaser or jeopardize the sale.

An order shall be issued terminating the tenancy agreement between the parties on April 30, 2002. The respondent shall vacate the rental premises on that date.

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Hal Logsdon  
Rental Officer