

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **DARRYL LARSEN AND DEANNA HERSON**, 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 -

DARRYL LARSEN AND DEANNA HERSON

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 four hundred seventy three dollars and ninety cents (\$3473.90).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the rental premises known as Apartment #111, 5600 - 52 Avenue, Yellowknife, NT shall be terminated on December 20, 2002 and the respondents shall vacate the rental premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 11th of December, 2002.

Hal Logsdon
Rental Officer

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **DARRYL LARSEN AND DEANNA HERSON**, 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-

DARRYL LARSEN AND DEANNA HERSON

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: December 10, 2002

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Talib Rasheed, representing the applicant

Date of Decision: December 10, 2002

REASONS FOR DECISION

The respondents were served with Notices of Attendance on November 24, 2002 but failed to appear at the hearing. The hearing was held in their absence.

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondents to pay the alleged rent arrears and terminating the tenancy agreement between the parties. The applicant provided a copy of the tenant ledger which indicated a balance of rent arrears in the amount of \$3473.90. The ledger also indicated that the last payment of rent made by the respondent was in October, 2002.

I find the respondents breached the tenancy agreement by failing to pay the lawful rent to the landlord. I find the rent arrears to be \$3473.90. From the evidence provided by the applicant, it does not appear that the respondents intend to pay the rent. In my opinion, there are sufficient grounds to terminate the tenancy agreement between the parties before additional losses are incurred by the applicant.

An order shall be issued requiring the respondents to pay the applicant rent arrears in the amount of \$3473.90 and terminating the tenancy agreement on December 20, 2002.

Hal Logsdon
Rental Officer