

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **WAYNE O'NEIL**, 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:

809656 ALBERTA LTD.

Applicant/Landlord

- and -

WAYNE O'NEIL

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of one thousand fifty dollars (\$1050.00).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as P406, 42 Con Road, Yellowknife, NT shall be terminated on August 31, 2004 and the respondent shall vacate the premises on that date, unless the rent arrears are paid in full.

3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 10th day of August, 2004.

Hal Logsdon
Rental Officer

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AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act");

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BETWEEN:

809656 ALBERTA LTD.

Applicant/Landlord

-and-

WAYNE O'NEIL

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 10, 2004

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Anisa Bhambhani, representing the applicant

Date of Decision: August 10, 2004

REASONS FOR DECISION

The respondent was served with a Notice of Attendance on July 30, 2004 but failed to appear at the hearing. The hearing was held in his absence.

The applicant stated that the respondent's first and last names were transposed on the application. The style of cause shall be amended accordingly.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement unless the arrears were promptly paid. The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$1050.

I find the ledger in order and find the respondent in breach of his obligation to pay rent in accordance with the written tenancy agreement. I find the rent arrears to be \$1050. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are paid in full on or before August 31, 2004.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$1050 and terminating the tenancy agreement on August 31, 2004 unless the rent arrears are paid in full. The order shall also require the respondent to pay future rent on time.

Hal Logsdon
Rental Officer