

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **ALLAN BETSING AND PAULA MACKENZIE**, 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 -

ALLAN BETSING AND PAULA MACKENZIE

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 five hundred ninety dollars (\$590.00).
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 Apartment 110, 48 Con Road, Yellowknife, NT shall be terminated on December 6, 2004 and the respondents shall vacate the premises on that date, unless the rent arrears and rent for December, 2004 in the total amount of one thousand eight hundred eighty five dollars (\$1885.00) is paid in full to the applicant.

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

DATED at the City of Yellowknife, in the Northwest Territories this 24th day of November, 2004.

Hal Logsdon
Rental Officer

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809656 ALBERTA LTD.

Applicant/Landlord

-and-

ALLAN BETSING AND PAULA MACKENZIE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: November 23, 2004

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: David Beckwith, representing the applicant

Date of Decision: November 23, 2004

REASONS FOR DECISION

The respondents were served with Notices of Attendance on November 15, 2004 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 owing in the amount of \$590. The monthly rent for the premises is \$1295.

A previous order was filed on October 24, 2004 requiring the respondent to pay rent arrears and the remainder of the security deposit. The order has been satisfied with respect to the rent arrears.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$590. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the arrears are promptly paid.

An order shall issue requiring the respondents to pay the rent arrears and terminating the tenancy agreement on December 6, 2004 unless the arrears and the December rent in the total amount of \$1885 is paid in full to the applicant.

Hal Logsdon
Rental Officer