

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **DONNA BROWN AND MATT BROWN**, 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 -

DONNA BROWN AND MATT BROWN

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 one thousand one hundred seventy five dollars (\$1175.00).
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 205, 5600 - 52nd Avenue, Yellowknife, NT shall be terminated on May 31, 2005 and the respondents shall vacate the premises on that date, unless the rent arrears are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 6th day of May, 2005.

Hal Logsdon
Rental Officer

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **DONNA BROWN AND MATT BROWN**, 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-

DONNA BROWN AND MATT BROWN

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: May 5, 2005

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Louisa Lucas, representing the applicant

Date of Decision: May 5, 2005

REASONS FOR DECISION

The respondents were served with Notices of Attendance by registered mail sent to the rental premises. The applicant testified that the respondents are still in possession of the premises. The respondents failed to appear at the hearing and the hearing was held in their absence.

The applicant alleged that the respondents had failed to pay rent and sought an order requiring the respondents to pay the alleged rent arrears and terminating the tenancy agreement on May 31, 2005 unless the arrears are paid in full.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$1175. The amount represents the rent for May, 2005. The tenancy agreement between the parties obligates the tenant to pay rent monthly in advance.

I find the ledger in order and find the respondents in breach of their obligation to pay rent. I find the rent arrears to be \$1175. In my opinion there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are promptly paid.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$1175 and terminating the tenancy agreement on May 31, 2005 unless the arrears are paid in full.

Hal Logsdon
Rental Officer