

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**, Applicant, and **KATHERINE CANDICE MEYER**, 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:

**NORTHERN PROPERTY LIMITED PARTNERSHIP**

Applicant/Landlord

- and -

**KATHERINE CANDICE MEYER**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to sections 84(3) and 41(4)(a) of the *Residential Tenancies Act*, the previous order (file # 10-9934, filed on February 21, 2008) is rescinded and the respondent shall pay the applicant rent arrears in the amount of four thousand nine hundred fifteen dollars (\$4915.00).
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 12, 4508 - 49th Avenue, Yellowknife, NT shall be terminated on April 30, 2008 and the respondent shall vacate the premises on that date, unless the rent arrears and the outstanding security

deposit in the total amount of five thousand five hundred thirty seven dollars and fifty cents (\$5537.50) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 15th day of April, 2008.

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Hal Logsdon  
Rental Officer

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R-5 (the "Act");

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

BETWEEN:

**NORTHERN PROPERTY LIMITED PARTNERSHIP**

Applicant/Landlord

-and-

**KATHERINE CANDICE MEYER**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** April 9, 2008

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

**Appearances at Hearing:** Julia O'Brien, representing the applicant

**Date of Decision:** April 9, 2008

**REASONS FOR DECISION**

The respondent was served with a Notice of Attendance sent by registered mail to the rental premises. The respondent failed to appear at the hearing and the hearing was held in her absence.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and failing to provide the full amount of the required security deposit. The applicant alleged that the respondent had breached a previous order by a rental officer requiring her to pay rent arrears and the security deposit in monthly installments. The applicant sought an order rescinding the previous order and requiring the respondent to pay the remaining rent arrears in lump sum and terminating the tenancy agreement unless the rent arrears and security deposit were promptly paid.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing in the amount of \$4915 and an outstanding balance of security deposit owing in the amount of \$622.50.

The previous order permitted the respondent to pay the rent arrears and security deposits in five payments. Three of those payments, totalling \$2245.50 were to be paid on dates prior to April 9, 2008. The statement indicates that only one payment of \$700 was made after the order was issued. It is clear that the respondent has breached the previous order.

I find the statement in order and find the rent arrears to be \$4915. I find the outstanding security deposit to be \$622.50. In my opinion, it is reasonable to rescind the previous order, order the payment of the remaining balance of rent in lump sum, and terminate the tenancy agreement unless the rent arrears and the outstanding security deposit are promptly paid.

An order shall issue rescinding the previous order (file #10-9934, filed on February 21, 2008) and ordering the respondent to pay the applicant rent arrears in the amount of \$4915. The order shall also terminate the tenancy agreement on April 30, 2008 unless those arrears and the outstanding security deposit in the total amount of \$5537.50 are paid in full.

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Hal Logsdon  
Rental Officer