

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **SHAWN ALANAK**, 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 **ULUKHAKTOK, NT.**

BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

- and -

SHAWN ALANAK

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 seventy nine dollars and fifty cents (\$79.50).

DATED at the City of Yellowknife, in the Northwest Territories this 7th day of October,
2008.

Hal Logsdon
Rental Officer

IN THE MATTER between **ULUKHAKTOK HOUSING ASSOCIATION**, Applicant,
and **SHAWN ALANAK**, 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.

BETWEEN:

ULUKHAKTOK HOUSING ASSOCIATION

Applicant/Landlord

-and-

SHAWN ALANAK

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 30, 2008

Place of the Hearing: Ulukhaktok, NT, via teleconference

Appearances at Hearing: Karen Kitekudlak, representing the applicant

Date of Decision: September 30, 2008

REASONS FOR DECISION

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

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. The applicant stated that the respondent had ceased to occupy the rental premises.

The applicant provided a copy of the tenant ledger which indicated a balance of rent owing in the amount of \$79.50.

Section 62(1) of the *Residential Tenancies Act* states that a tenancy agreement is terminated on the tenant's abandonment of the premises.

62.(1) Where a tenant abandons a rental premises, the tenancy agreement is terminated on the date the rental premises were abandoned but the tenant remains liable, subject to subsection 9(2), to compensate the landlord for loss of future rent that would have been payable under the tenancy agreement.

There is no requirement to terminate this tenancy agreement by order as it has already been terminated by reason of the tenant's abandonment of the premises. The applicant should take possession of the premises and re-rent them.

I find the ledger in order and find the respondent in breach of his obligation to pay rent. I find the rent arrears to be \$79.50.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$79.50.

Hal Logsdon
Rental Officer