

IN THE MATTER between **NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST**, Applicant, and **SUZA TSETSO AND DARLENE TSETSO**, 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:

NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST

Applicant/Landlord

- and -

SUZA TSETSO AND DARLENE TSETSO

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 thousand five hundred twenty five dollars (\$5525.00).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 310 Woolgar Avenue, Yellowknife, NT shall be terminated on November 30, 2008 and the respondents shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 25th day of November, 2008.

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:

NORTHERN PROPERTY REAL ESTATE INVESTMENT TRUST

Applicant/Landlord

-and-

SUZA TSETSO AND DARLENE TSETSO

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: November 25, 2008

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Heather MacKenzie, representing the applicant

Date of Decision: November 25, 2008

REASONS FOR DECISION

The respondents were personally served with Notices of Attendance 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 statement of the rent account which indicated a balance of rent owing in the amount of \$5525. The statement indicates that on four occasions, the cheques provided by the respondents for payment of the monthly rent failed to clear the bank due to insufficient funds.

The statement also indicates that no rent has been paid by the respondents since September 4, 2008. The respondents have been in arrears since July, 2008 and the current balance represents over four months of rent. There is little indication that the respondents intend to pay the full amount of the rent or make arrangements for the orderly payment of the debt.

I find the statement in order and find sufficient grounds to terminate the tenancy agreement. An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$5525 and terminating the tenancy agreement between the parties on November 30, 2008.

Hal Logsdon
Rental Officer