

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,
Applicant, and **GEORGE MACKEINZO**, 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 -

GEORGE MACKEINZO

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 four thousand five hundred ninety nine dollars and sixty seven cents (\$4599.67).
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 6260 Finlayson Drive, Yellowknife, NT shall be terminated on March 31, 2009 and the respondent shall vacate the premises on that date, unless the respondent pays the applicant at least three thousand dollars (\$3000.00).

3. 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 6260 Finlayson Drive, Yellowknife, NT shall be terminated on April 15, 2009 and the respondent shall vacate the premises on that date, unless the balance of the rent arrears and the rent for April, 2009 in the total amount of three thousand four hundred forty nine dollars and sixty seven cents (\$3449.67) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 13th day of March, 2009.

Hal Logsdon
Rental Officer

IN THE MATTER between **NORTHERN PROPERTY LIMITED PARTNERSHIP**,
Applicant, and **GEORGE MACKEINZO**, 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:

NORTHERN PROPERTY LIMITED PARTNERSHIP

Applicant/Landlord

-and-

GEORGE MACKEINZO

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 11, 2009

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Connie Diener, representing the applicant
Marion Mackeinzo, representing the respondent

Date of Decision: March 11, 2009

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent. The applicant sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement unless the arrears are paid in full.

The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$4599.67.

The respondent's representative did not dispute the allegations and stated that the respondent could pay \$3000 of the arrears by March 31, 2009 and the balance of the arrears plus the full amount of the April, 2009 rent by April 15, 2009. The monthly rent for the premises is \$1850. The applicant agreed with the proposal.

I find the rent statement in order and find the respondent in breach of his obligation to pay rent. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are paid in accordance with the agreed upon schedule.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$4599.67. The order shall terminate the tenancy agreement on March 31, 2009 unless the respondent pays the applicant at least \$3000 of the arrears. The order shall also terminate the tenancy agreement on April 15, 2009 unless the balance of the arrears and the April, 2009 rent in

the amount of \$3449.67 are paid in full. I calculate these amounts as follows:

| | |
|----------------------------|------------------|
| Rent arrears | \$4599.67 |
| Payment due March 31/09 | <u>(3000.00)</u> |
| Balance of arrears | \$1599.67 |
| Plus April rent | <u>1850.00</u> |
| Payment due April 15, 2009 | \$3449.67 |

This decision was made known to the parties at the conclusion of the hearing.

Hal Logsdon
Rental Officer