

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **GAGIK SMBATYAN**, 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:

809656 ALBERTA LTD.

Applicant/Landlord

- and -

GAGIK SMBATYAN

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of five thousand six hundred fifty dollars (\$5650.00). The respondent shall pay the rent arrears in monthly installments of three hundred fifty dollars (\$350.00) payable on the last day of every month until the rent arrears are paid in full. The first payment shall be due on March 31, 2010.
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 10th day of March, 2010.

Hal Logsdon
Rental Officer

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **GAGIK SMBATYAN**, 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:

809656 ALBERTA LTD.

Applicant/Landlord

-and-

GAGIK SMBATYAN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 3, 2010

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Aleem Shivji, representing the applicant
Gagik Smbatyan, respondent

Date of Decision: March 3, 2010

REASONS FOR DECISION

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 termination of the tenancy agreement unless the rent arrears were 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 \$5650.

The respondent did not dispute the allegations and stated that he would be able to pay the monthly rent on time and pay an additional \$350/month until the rent arrears were paid in full.

The applicant agreed to continue the tenancy agreement provided the rent arrears were paid in accordance with the respondent's proposal.

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 \$5650. An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$5650. The respondent shall pay the arrears in monthly installments of \$350 payable on the last day of every month until the arrears are paid in full. The first payment shall be due on March 31, 2010. The respondent is also ordered to pay the monthly rent on time in the future.

Should the respondent fail to pay the rent arrears in accordance with this order or fail to pay the

monthly rent on time, the applicant may file another application seeking the full payment of any remaining amount and termination of the tenancy agreement.

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

Hal Logsdon
Rental Officer