

IN THE MATTER between **809656 ALBERTA LTD.**, Applicant, and **SHERRY GRAHAM**, 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 -

**SHERRY GRAHAM**

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 seven thousand seven hundred eighty six dollars and eighteen cents (\$7786.18).
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 410, 42 Con Road, Yellowknife, NT shall be terminated on March 24, 2010 and the respondent shall vacate the premises on that date, unless a payment of at least one thousand nine hundred dollars (\$1900.00) is made on or before that date.

3. Pursuant to section 83(2) of the *Residential Tenancies Act*, provided the payment of one thousand nine hundred dollars (\$1900.00) is made on or before March 24, 2010, the respondent may pay the remaining balance of the rent arrears in monthly payments of five hundred dollars (\$500.00) due 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.
4. Pursuant to section 4(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 8th day of March, 2010.

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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");

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

BETWEEN:

**809656 ALBERTA LTD.**

Applicant/Landlord

-and-

**SHERRY GRAHAM**

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  
Sherry Graham, 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 terminating the tenancy agreement.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$7786.18. The monthly rent for the premises is \$1325. The applicant stated that the parties had made several arrangements for the payment of the arrears but all had been breached by the respondent.

The respondent did not dispute the allegations. She stated that she would pay \$1900 immediately and pay the remaining balance of the arrears in monthly payments of \$500 in addition to the rent.

I find the ledger in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears to be \$7786.18. In my opinion, the tenancy agreement should continue provided the respondent promptly makes a lump sum payment of \$1900 and continues to pay the monthly rent on time and pay an additional \$500/month.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$7786.18. The tenancy agreement shall be terminated on March 24, 2010 unless a payment of at least \$1900 is made to the applicant. Provided that payment is made, the respondent may pay the balance of

arrears in monthly payments of \$500 due 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. The respondent is also ordered to pay the monthly rent on time.

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

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Hal Logsdon  
Rental Officer