

IN THE MATTER between **5655 NWT LTD.**, Applicant, and **BEAU CHRISTENSEN AND JENNA CONRAD**, Respondents;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act") and amendments thereto;

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer, regarding the rental premises at **YELLOWKNIFE, NT.**

BETWEEN:

**5655 NWT LTD.**

Applicant/Landlord

- and -

**BEAU CHRISTENSEN AND JENNA CONRAD**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondents shall comply with their obligation to establish an account for the supply of electricity for the premises and pay any outstanding balance on the current account for the premises.
2. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant a penalty for late rent in the amount of twenty two dollars and forty four cents (\$22.44).
3. Pursuant to sections 41(4)(c), 45(4)(e) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 304 Bellanca Avenue,

Yellowknife, NT shall be terminated on October 1, 2010 and the respondents shall vacate the premises on that date, unless this order is fully satisfied and the rent for October, 2010 is paid in full.

4. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 1st day of October, 2010.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **5655 NWT LTD.**, Applicant, and **BEAU CHRISTENSEN AND JENNA CONRAD**, 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.

BETWEEN:

**5655 NWT LTD.**

Applicant/Landlord

-and-

**BEAU CHRISTENSEN AND JENNA CONRAD**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** September 29, 2010

**Place of the Hearing:** Yellowknife, NT

**Appearances at Hearing:** Lynn Elkin, representing the applicant  
Beau Christensen, respondent

**Date of Decision:** September 29, 2010

### **REASONS FOR DECISION**

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and failing to pay for electricity and sought an order terminating the tenancy agreement and evicting the respondents.

A previous order (file #10-11654, filed on September 9, 2010) required the respondents to pay rent arrears of \$2400.72, pay electrical costs which were paid on their behalf of \$508.37 and to pay future rent on time. The applicant stated that since that order was issued, the rent arrears and electrical costs paid on behalf of the respondent had been paid, leaving only a balance of \$22.44. An updated statement was provided by the applicant in evidence indicating that balance. The statement indicates that the previous order has been satisfied and the balance owing consists of penalties for late rent in September, 2010. The statement also indicates that the rents for June and July, 2010 were paid on time, the August, 2010 rent was 46 days late and the September, 2010 rent was 26 days late.

The applicant stated that the electrical account had not been established in the respondent's name and there was another outstanding invoice for electricity in the landlord's name for \$235.80.

The respondent did not dispute the allegations and stated that he had been experiencing financial difficulties which were now resolved. He stated that he would immediately establish an electrical account and pay the existing balance, pay the late rent fees and pay the October rent and all future

rent on time.

I find the respondents in breach of their obligation to establish an account for electricity and pay for electricity during the term of the tenancy agreement. I also find outstanding late fees of \$22.44. The previous order has been satisfied. The evidence suggests that the respondents have taken positive steps to resolve these breaches and intend to fulfill their obligations in the future. In my opinion, the tenancy should continue provided the electrical account is promptly established in the respondents' name and the balance paid in full, the late rent penalties are paid and the October, 2010 rent is paid on time.

An order shall issue requiring the respondents to comply with their obligation to establish an account for electricity for the premises and pay any existing balance on the current electrical account for the premises. The order shall also require the respondents to pay the outstanding late fees of \$22.44 and to pay future rent on time. The tenancy agreement shall be terminated on October 1, 2010 unless the order is fully satisfied.

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

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Hal Logsdon  
Rental Officer