

IN THE MATTER between **HAY RIVER MOBILE HOME PARK LTD.**, Applicant,
and **DUSTIN FROEHLICH**, Respondent;

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 **HAY RIVER, NT.**

BETWEEN:

HAY RIVER MOBILE HOME PARK LTD.

Applicant/Landlord

- and -

DUSTIN FROEHLICH

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 one thousand four hundred forty dollars (\$1440.00).
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 22nd day of March,
2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **HAY RIVER MOBILE HOME PARK LTD.**, Applicant,
and **DUSTIN FROEHLICH**, 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:

HAY RIVER MOBILE HOME PARK LTD.

Applicant/Landlord

-and-

DUSTIN FROEHLICH

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 15, 2011

Place of the Hearing: Hay River, NT via teleconference

Appearances at Hearing: Michelle Schaub, representing the applicant

Date of Decision: March 15, 2011

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail sent on February 25, 2011.

The matter is a simple one of rent and the evidence is clear and straightforward. The respondent is not seeking to terminate the tenancy agreement. Although there was no confirmation that the respondent picked up the notice, I do not think it is unreasonable to deem the notice served pursuant to section 71(5) of the *Residential Tenancies Act*.

71.(5) A notice or other document served or given by registered mail is deemed to have been served on the seventh day after mailing.

The matter was heard in the absence of the respondent.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing as at January 10, 2011 in the amount of \$960. The applicant testified that since that date the February, 2011 rent (\$240) and the March 2011 rent (\$240) had come due and no payments had been received, bringing the balance owing to \$1440. The applicant sought an order for that amount.

I find the respondent in breach of his obligation to pay rent and find rent arrears of \$1440. An order shall issue requiring the respondent to pay the applicant rent arrears of \$1440 and to pay future rent on time.

Hal Logsdon
Rental Officer