

IN THE MATTER between **ANDRE OUELLET**, Applicant, and **RICHARD FIRTH**, Respondent;

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

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

BETWEEN:

**ANDRE OUELLET**

Applicant/Landlord

- and -

**RICHARD FIRTH**

Respondent/Tenant

**EVICITION ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 63(4)(a) of the *Residential Tenancies Act*, the respondent shall be evicted from the premises known as 22 Alder Drive, Inuvik, NT on March 26, 2011.

DATED at the City of Yellowknife, in the Northwest Territories this 14th day of March, 2011.

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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:

**ANDRE OUELLET**

Applicant/Landlord

-and-

**RICHARD FIRTH**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** March 10, 2011

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

**Appearances at Hearing:** Andre Ouellet, applicant

**Date of Decision:** March 10, 2011

**REASONS FOR DECISION**

The respondent was sent a Notice of Attendance by registered mail. At the time of the hearing there was no confirmation of receipt. The rental officer attempted to contact the respondent by telephone with no success. The applicant stated that a copy of his notice had been given to the respondent prior to the hearing and the respondent stated that he might or might not appear. The respondent failed to appear at the hearing and the hearing was held in his absence. In my opinion, the respondent had an adequate opportunity to appear at the hearing and it is not unreasonable to deem the notice served. I note that the respondent did appear after the hearing was concluded.

The tenancy agreement will be terminated by order on March 25, 2011 (file #20-11949, filed on March 15, 2011). The eviction of the respondent is justified if the respondent fails to vacate the premises in accordance with the order.

The tenancy will be terminated for non-payment of rent and failure to pay for water during the term of the tenancy agreement.

Pursuant to section 63(2) of the *Residential Tenancies Act*, an application for termination of a tenancy agreement and the eviction of the tenant may be made with a single application.

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Hal Logsdon  
Rental Officer