

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **DAVID MODESTE AND CYNTHIA MODESTE**, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

DAVID MODESTE AND CYNTHIA MODESTE

Respondents/Tenants

EVICTON ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 63(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondents shall be evicted from the premises known as Apartment 210, 5123 - 53 Street, Yellowknife, NT on May 3, 2011 unless the rent arrears and rent for May, 2011 in the total amount of three thousand fifty three dollars (\$3053.00) are paid in full on or before May 2, 2011

DATED at the City of Yellowknife, in the Northwest Territories this 15th day of April, 2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **DAVID MODESTE AND CYNTHIA MODESTE**, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

DAVID MODESTE AND CYNTHIA MODESTE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: April 13, 2011

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Maigan Lefrancois, representing the applicant

Date of Decision: April 13, 2011

REASONS FOR DECISION

The respondents were personally served with Notices of Attendance but failed to appear at the hearing. The hearing was held in their absence.

The tenancy agreement will be terminated by order (file #10-12041, filed on April 15, 2011) on May 2, 2011 unless the respondents pay the applicant rent arrears and the May, 2011 rent in the total amount of \$3053 on or before that date. In my opinion, eviction is justified if the respondents fail to pay the applicant \$3053 and fail to give up possession of the premises.

Hal Logsdon
Rental Officer