

IN THE MATTER between **ARCTICON HOLDINGS LTD.**, Applicant, and **MICHEL DESJARDINS AND JEAN-ANN CAMPBELL**, 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 **ENTERPRISE, NT**.

BETWEEN:

ARCTICON HOLDINGS LTD.

Applicant/Landlord

- and -

MICHEL DESJARDINS AND JEAN-ANN CAMPBELL

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of four thousand dollars (\$4000.00).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 415 Polar Street, Enterprise, NT shall be terminated on May 6, 2011 and the respondents shall vacate the premises on that date.
3. Pursuant to section 63(4)(b) of the *Residential Tenancies Act*, the respondents shall pay the applicant compensation for use and occupancy of the rental premises in the amount of sixteen dollars and sixty six cents (\$16.66) for each day in May, 2011 the respondents

remain in possession of the rental premises after May 6, 2011.

DATED at the City of Yellowknife, in the Northwest Territories this 29th day of April,
2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **ARCTICON HOLDINGS LTD.**, Applicant, and **MICHEL DESJARDINS AND JEAN-ANN CAMPBELL**, 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:

ARCTICON HOLDINGS LTD.

Applicant/Landlord

-and-

MICHEL DESJARDINS AND JEAN-ANN CAMPBELL

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: April 29, 2011

Place of the Hearing: Enterprise, NT via teleconference

Appearances at Hearing: Jack Walker, representing the applicant
Dan Ironside, representing the applicant

Date of Decision: April 29, 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 applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondents to pay the alleged rent arrears, terminating the tenancy agreement and evicting the respondents.

The applicant testified that the cheques provided for the September and October, 2010 rent failed to clear the bank and were never replaced. The applicant testified that no rent was paid for the months of November and December, 2010 and January, February, March and April, 2011. The monthly rent for the premises is \$500 resulting in arrears of \$4000. The applicant stated that he had demanded the rent arrears on several occasions and the respondents had indicated that they did not have any money and planned to move out. The respondents remain in possession of the rental premises.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$4000. In my opinion, there are sufficient grounds to terminate the tenancy agreement and evict the respondents if they do not vacate.

An order shall issue requiring the respondents to pay the applicant rent arrears of \$4000 and

terminating the tenancy agreement on May 6, 2011. The order shall also require the respondents to pay the applicant compensation of \$16.66 for use and occupation of the rental premises for each day in May, 2011 that they remain in possession of the premises after May 6, 2011.

An eviction order shall issue separately.

Hal Logsdon
Rental Officer