

IN THE MATTER between **N.W.T. COMMUNITY SERVICES CORPORATION**,
Applicant, and **ELAINE MERCREDI-HAUPT**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

N.W.T. COMMUNITY SERVICES CORPORATION

Applicant/Landlord

- and -

ELAINE MERCREDI-HAUPT

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 two thousand five hundred twenty dollars (\$2520.00).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Apartment 605, 5004-54 Street, Yellowknife, NT shall be terminated on June 15, 2011 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 26th day of May,
2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **N.W.T. COMMUNITY SERVICES CORPORATION**,
Applicant, and **ELAINE MERCREDI-HAUPT**, 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:

N.W.T. COMMUNITY SERVICES CORPORATION

Applicant/Landlord

-and-

ELAINE MERCREDI-HAUPT

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 25, 2011

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Gail Leonardis, representing the applicant

Date of Decision: May 25, 2011

REASONS FOR DECISION

The respondent was personally served with a Notice of Attendance but failed to appear at the hearing. The hearing was held in her absence.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears, terminating the tenancy agreement and evicting the respondent.

The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$3490. The monthly rent for the premises is \$630. The statement indicates that the last payment of rent was made on March 1, 2011.

A previous order (file #10-11809, filed on February 8, 2011) required the respondent to pay the applicant rent arrears of \$2520 and to pay the monthly rent on time. Since that order was issued, the respondent has paid \$1550, leaving an unsatisfied balance from the previous order of \$970.

I find the statement in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears to be \$3490. In my opinion, there are sufficient grounds to terminate the tenancy agreement. The respondent has paid no rent for nearly three months and is currently over five months in arrears.

Taking into consideration the unsatisfied portion of the previous order, an additional order shall issue requiring the respondent to pay the applicant rent arrears of \$2520. I calculate that amount as follows:

Rent arrears	\$3490
less unsatisfied order	<u>(970)</u>
Order	\$2520

The tenancy agreement shall be terminated on June 15, 2011. An eviction order shall be issued separately.

Hal Logsdon
Rental Officer