

IN THE MATTER between **NWT HOUSING CORPORATION**, Applicant, and
LAWRENCE WELLIN AND CECLIA WELLIN, 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 **BEHCHOKO (EDZO), NT**.

BETWEEN:

NWT HOUSING CORPORATION

Applicant/Landlord

- and -

LAWRENCE WELLIN AND CECLIA WELLIN

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 84(3) and 41(4)(a) of the *Residential Tenancies Act*, the previous order (file #10-11457, filed on May 25, 2010) is rescinded and the respondents shall pay the applicant rent arrears in the amount of thirty five thousand one hundred twenty five dollars (\$35,125.00).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Unit 420, Behchoko (Edzo), NT shall be terminated on October 31, 2011 and the respondents shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 21st day of
September, 2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **NWT HOUSING CORPORATION**, Applicant, and
LAWRENCE WELLIN AND CECLIA WELLIN, 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:

NWT HOUSING CORPORATION

Applicant/Landlord

-and-

LAWRENCE WELLIN AND CECLIA WELLIN

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: September 20, 2011

Place of the Hearing: Yellowknife, NT via teleconference

Appearances at Hearing: Michael Keohane, representing the applicant

Date of Decision: September 20, 2011

REASONS FOR DECISION

The respondents were served with Notices of Attendance sent by registered mail and confirmed delivered. The respondents failed to appear at the hearing and the hearing was held in their absence.

The applicant alleged that the respondents had breached a previous order requiring them to pay rent arrears in monthly payments. The applicant sought an order rescinding the previous order, requiring the respondents to pay the balance owing and terminating the tenancy agreement. The applicant stated that the premises were not subsidized public housing and were rented at market value of \$1025/month.

The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$35,125. A previous order (file #10-11457, filed on May 25, 2010) ordered the respondents to pay the monthly rent on time and to pay an additional \$500/month until the rent arrears of \$36,100 were paid in full. Clearly, the order has been breached as the rent arrears have been reduced by only \$975 rather than the required \$15,375. A notice, dated April 27, 2011 reminded the respondents that their payments were not sufficient to satisfy the order and demanded payment. The statement indicates that no payments of arrears whatsoever were made after November, 2010.

I find the respondents in breach of the previous order and find the balance of rent owing to be

\$35,125. In my opinion, there are sufficient grounds to terminate the tenancy agreement.

An order shall issue rescinding the previous order and ordering the respondents to pay the applicant \$35,125. The order shall terminate the tenancy agreement on October 31, 2011.

Hal Logsdon
Rental Officer