

IN THE MATTER between **GAIL BULGER**, Applicant, and **BENJT DOIG**,
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:

GAIL BULGER

Applicant/Landlord

- and -

BENJT DOIG

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 two hundred sixty eight dollars and six cents (\$2268.06).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 6 Nahanni Drive, Yellowknife, NT shall be terminated on June 18, 2012 and the respondent shall vacate the premises on that date.
3. Pursuant to section 63(4)(b) of the *Residential Tenancies Act*, the respondent shall pay the applicant compensation for use and occupation of the rental premises in the amount of,

- a) sixty five dollars and eighty three cents (\$65.83) for each day in June after June 18, 2012 that the respondent remains in possession of the premises and,
- b) sixty three dollars and seventy one cents (\$63.71) for each day in July, 2012 that the respondent remains in possession of the premises.

DATED at the City of Yellowknife, in the Northwest Territories this 14th day of June, 2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **GAIL BULGER**, Applicant, and **BENJT DOIG**,
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:

GAIL BULGER

Applicant/Landlord

-and-

BENJT DOIG

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **June 13, 2012**

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

Appearances at Hearing: **Gail Bulger, applicant**

Date of Decision: **June 13, 2012**

REASONS FOR DECISION

The respondent was served with a Notice of Attendance by serving an adult who apparently lived in the premises. The respondent failed to appear at the hearing and the hearing was held in his 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 and terminating the tenancy agreement and evicting the respondent.

The applicant and the respondent entered into a written tenancy agreement commencing May 15, 2012. A copy of the tenancy agreement was provided in evidence. The monthly rent for the premises is \$1975. A security deposit of \$1975 is required. The applicant permitted the respondent to take possession without payment of the first month's rent or any security deposit. The respondent was also obligated to pay for utilities during the term. The applicant stated that the respondent failed to establish any accounts for the utilities and that the landlord has continued to pay for electricity. The applicant stated that no rent or security deposit had been paid whatsoever.

The applicant stated that she sees people coming and going to the premises but cannot be certain if the respondent continues to occupy the premises. There has been no request to assign or sublet the premises or notice given by the respondent to terminate the tenancy agreement.

I find the respondent in breach of his obligation to pay rent and find sufficient grounds to terminate the tenancy agreement on June 18, 2012. I find rent arrears of \$2268.06 calculated to the termination date:

May 15-31 (17 days)	\$1083.06
June 1-18 (18 days)	<u>1185.00</u>
Total	\$2268.06

An order shall issue requiring the respondent to pay the applicant rent arrears of \$2268.06 and terminating the tenancy on June 18, 2012. The respondent is also ordered to pay the applicant \$65.83 for each day in June he remains in possession after June 18, 2012 and \$63.71 for each day he remains in possession in July, 2012.

An eviction order to be effective on June 19, 2012 shall be issued separately.

Hal Logsdon
Rental Officer