

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **BRETT HODGES**, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

BRETT HODGES

Respondent/Tenant

EVICITION ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 63(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondent shall be evicted from the premises known as Apartment 14, 15 Ptarmigan Road (Three Lakes), Yellowknife, NT on November 30, 2012 unless rent arrears in the amount of ten thousand one hundred forty nine dollars (\$10,149.00) are paid in full on or before November 29, 2012.

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

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **BRETT HODGES**, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

BRETT HODGES

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: November 9, 2012

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Lillian Sliwka, representing the applicant

Date of Decision: November 9, 2012

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail. At the time of the hearing, there was no confirmation that the Notice of Attendance had been received but the respondent was provided with a notice from Canada Post on October 25, 2012 that an item was available for him to pick up. A voice mail was also left at the respondent's home telephone number indicating the location, date and time of the hearing. In my opinion it is not unreasonable to deem the Notice of Attendance served in accordance with section 71(5) of the *Residential Tenancies Act*. The respondent did not appear at the hearing and the hearing was held in his absence.

The tenancy agreement between the parties will be terminated on November 29, 2012 unless rent arrears of \$10,149 are paid in full (file #10-13057, filed on November 14, 2012). In my opinion the eviction is justified if the respondent fails to pay the ordered amount and remains in possession of the premises after November 29, 2012.

Hal Logsdon
Rental Officer