

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **SALLY JANE SMITH**, 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 -

SALLY JANE SMITH

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 F310, 900 Lanky Court, Yellowknife, NT January 28, 2013 unless the rent arrears in the amount of two thousand two hundred fifty three dollars (\$2253.00) are paid in full on or before January 25, 2013.

DATED at the City of Yellowknife, in the Northwest Territories this 8th day of January, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and **SALLY JANE SMITH**, 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-

SALLY JANE SMITH

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: January 3, 2013

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Connie Diener, representing the applicant

Date of Decision: January 3, 2013

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail. At the time of the hearing there was no confirmation of receipt however Canada Post confirmed that an attempt was made to deliver the notice on December 22, 2012 and a notice was left at the premises indicating where the item could be picked up. The applicant stated that the respondent was still in possession of the premises. An attempt was made prior to the hearing to contact the respondent by telephone and a voice mail message was left indicating the date, time and location of the hearing. The respondent did not appear at 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 hearing was held in the absence of the respondent.

The tenancy agreement between the parties will be terminated by order on January 25, 2013 unless the respondent pays the applicant rent arrears of \$2253 (file #10-13257, filed on January 8, 2013). In my opinion, the eviction is justified if the rent arrears are not paid in accordance with the order and the respondent remains in possession of the premises after January 25, 2013.

Hal Logsdon
Rental Officer