

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Doreen Washie**, 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, **Adelle Guigon**, Deputy Rental Officer, regarding a rental premises located within the **City of Yellowknife, Northwest Territories**.

BETWEEN:

**NPR LIMITED PARTNERSHIP**

Applicant/Landlord

- and -

**DOREEN WASHIE**

Respondent/Tenant

**EVICITION ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to sections 63(4)(a) and 83(2) of the *Residential Tenancies Act*, the tenant shall be evicted from the premises known as Apartment 103 at 5001 - 52 Avenue, Yellowknife, Northwest Territories, on May 14, 2013, unless rental arrears in the amount of two thousand seven hundred and seventy-one dollars and seventy-one cents (\$2,771.71) have been paid in full on or before May 13, 2013.
2. Pursuant to section 63(4)(b) of the *Residential Tenancies Act*, the tenant shall compensate the landlord for the use and occupation of the rental premises, calculated for each day the tenant remains in occupation following the termination of the tenancy.

DATED at the City of Yellowknife in the Northwest Territories this 30th day of April 2014.

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Adelle Guigon  
Deputy Rental Officer

IN THE MATTER between **NPR Limited Partnership**, Applicant, and **Doreen Washie**, 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 **Adelle Guigon**, Deputy Rental Officer.

BETWEEN:

**NPR LIMITED PARTNERSHIP**

Applicant/Landlord

-and-

**DOREEN WASHIE**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** April 24, 2013

**Place of the Hearing:** Yellowknife, Northwest Territories

**Appearances at Hearing:** Connie Diener representing the Applicant

**Date of Decision:** April 24, 2013

## **REASONS FOR DECISION**

### **Application**

The application package submitted by the Applicant/Landlord was received by the Rental Office on March 22, 2013 and filed on March 25, 2013, respecting a tenancy agreement for Apartment 103 at 5001 - 52 Avenue in Yellowknife, Northwest Territories. The Applicant personally served a copy of the filed application package on the Respondent on April 2, 2013.

The application package indicated that the Applicant was seeking, among other things, eviction of the tenant from the rental premises pursuant to section 63 of the *Residential Tenancies Act*.

### **Hearings**

A hearing regarding this matter was scheduled for April 24, 2013, in Yellowknife, Northwest Territories. Notices of attendance were served on the Applicant personally on April 10, 2013, and on the Respondent by registered mail sent April 9, 2013. The notice was signed for as received by the Respondent on April 13, 2013.

On April 24, 2013, Ms. Connie Diener was present representing the Applicant. Neither the Respondent nor any representative for the Respondent appeared for the hearing. As all required notices of the hearing were confirmed as received by the Respondent, the hearing proceeded in the Respondent's absence.

### Submissions

The Applicant confirmed that they were seeking, among other things, an order for eviction of the tenant from the rental premises. The other matters to be dealt with at this hearing were regarding rental arrears, late payment penalties, and termination of the tenancy, all of which were granted by order under Rental Office File No. 10-13424. Termination of the tenancy was ordered effective May 13, 2013, unless rental arrears were paid in full.

### Determinations

Section 63(4) of the *Residential Tenancies Act* allows a Rental Officer who terminates a tenancy, and determines that an eviction is justified, to make an order evicting the tenant “on the earliest reasonable date after the date of termination of the tenancy” and “requiring the tenant to compensate the landlord for the use and occupation of the rental premises, calculated for each day the tenant remains in occupation following the termination of the tenancy”. I have issued an order terminating this tenancy on May 13, 2013, unless rental arrears have been paid in full. The amount of rental arrears account for approximately 1.75 months of rent. I also found that amounts that were paid for rent over the course of the tenancy were repeatedly late in being made.

Order

In consideration of the evidence that has been brought before me and in conjunction with the termination of this tenancy, an eviction order shall be made effective May 14, 2013, if the rental arrears have not been paid in full by May 13, 2013. The order will also direct that the tenant compensate the landlord for any days the tenant remains in use and occupation of the rental premises after the termination date ordered for the tenancy.

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Adelle Guigon  
Deputy Rental Officer