

IN THE MATTER between **BEHCHOKO KO GHA K'AODEE**, Applicant, and
DONNA SANSPARIEL AND NELSON FOOTBALL, 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, NT**.

BETWEEN:

BEHCHOKO KO GHA K'AODEE

Applicant/Landlord

- and -

DONNA SANSPARIEL AND NELSON FOOTBALL

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84(3) and 41(4)(a) of the *Residential Tenancies Act*, the previous order (file #10-13383, filed on April 16, 2013) is rescinded and the respondents are ordered to pay the applicant rent arrears in the amount of twenty three thousand four hundred ninety four dollars and seventy three cents (\$23,494.73).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 613A Whagwe Tili, Behchoko, NT shall be terminated on October 31, 2013 and the respondents shall vacate the premises on that date.

3. Pursuant to section 63(4)(b) of the *Residential Tenancies Act*, the respondents shall pay compensation to the applicant in the amount of fifty one dollars and fifty cents (\$51.50) for each day in November, 2013 that the respondents remain in possession of the premises.

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

Hal Logsdon
Rental Officer

IN THE MATTER between **BEHCHOKO KO GHA K'AODEE**, Applicant, and
DONNA SANSPARIEL AND NELSON FOOTBALL, 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:

BEHCHOKO KO GHA K'AODEE

Applicant/Landlord

-and-

DONNA SANSPARIEL AND NELSON FOOTBALL

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: **October 1, 2013**

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

Appearances at Hearing: **Michael Keohane, representing the applicant**
 Donna Sanspariel, respondent

Date of Decision: **October 1, 2013**

REASONS FOR DECISION

The applicant alleged that the respondents had breached a previous order requiring the respondents to pay rent arrears in monthly payments. The applicant sought an order requiring the respondents to pay the remaining rent arrears in lump sum and terminating the tenancy agreement and evicting the respondents. The premises are subsidized public housing.

The applicant provided a copy of the tenant rent ledger in evidence which indicated a balance of rent owing in the amount of \$21,949.73. A previous order (file #10-13383, filed on April 16, 2013) required the respondents to pay \$18,044.73 in monthly payments of \$500 and to pay the monthly rent on time.

The respondent did not dispute the allegations. She stated that her partner's contract had ended in July, 2013 and that he was back to work in September.

Clearly, the previous order has been breached. I find the ledger in order and find the current balance owing to be \$23,494.73. 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 balance owing of \$23,494.73. The tenancy agreement will be terminated on October 31, 2013 and the respondents ordered to pay compensation for use and occupation of the premises on a per

diem basis for any days in November, 2013 that they continue to occupy the premises after October 31, 2013. An eviction order to be effective on November 1, 2013 shall be issued separately.

Hal Logsdon
Rental Officer