

IN THE MATTER between **Hay River Housing Authority**, Applicant, and **Dean Bradbury**, 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 **Town of Hay River in the Northwest Territories**.

BETWEEN:

**HAY RIVER HOUSING AUTHORITY**

Applicant/Landlord

- and -

**DEAN BRADBURY**

Respondent/Tenant

**EVICTON ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 63(4)(a) of the *Residential Tenancies Act*, the respondent/tenant shall be evicted from the rental premises known as Apartment 110, 46 Woodland Drive, in Hay River, Northwest Territories, on November 16, 2013.

DATED at the City of Yellowknife in the Northwest Territories this 5th day of November 2014.

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Adelle Guigon  
Deputy Rental Officer

IN THE MATTER between **Hay River Housing Authority**, Applicant, and **Dean Bradbury**, Respondent.

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BETWEEN:

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-and-

**DEAN BRADBURY**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>October 25, 2013</b>
<b><u>Place of the Hearing:</u></b>	<b>Hay River, Northwest Territories, via Teleconference</b>
<b><u>Appearances at Hearing:</u></b>	<b>Adam Swanson, representing the Applicant</b>
<b><u>Date of Decision:</u></b>	<b>November 4, 2013</b>

## **REASONS FOR DECISION**

### **Application**

An application to a rental officer was made by the Hay River Housing Authority as the landlord against Dean Bradbury as the tenant. It was made regarding a tenancy agreement between the parties for the rental premises known as Apartment 110, 46 Woodland Drive, in Hay River, Northwest Territories. The application package was received and filed by the Rental Office on September 19, 2013. The applicant personally served a copy of the filed application package on the respondent on September 30, 2013.

### **Hearing**

A hearing was scheduled for October 25, 2013. Notices were sent to both parties by registered mail on September 30, 2013. The applicant was represented at hearing by Mr. Adam Swanson. The respondent was deemed served the notice of hearing on October 7, 2013, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). He did not appear at hearing. The hearing proceeded in the respondent's absence pursuant to section 80(2) of the Act.

### **Submissions**

Mr. Swanson provided at hearing evidence in support of his request for rental arrears and termination of the tenancy. I found his request justified and have issued an order for payment of rental arrears and terminating the tenancy on November 15, 2013. Evidence was further submitted regarding Mr. Bradbury evading communication with the landlord.

### **Determinations**

I accepted the landlord's submissions and evidence regarding Mr. Bradbury's apparent evasion of his obligations to report his income and pay rent, and am satisfied this behaviour suggests he may not comply with the order to vacate the rental premises on or before the date of termination of the tenancy. I find an eviction order is justified.

### **Order**

An order will issue evicting the respondent from the rental premises on November 16, 2013.

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Adelle Guigon  
Deputy Rental Officer