

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
JEREMY WANNAMAKER AND LEVI WANNAMAKER, 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 **YELLOWKNIFE, NT**.

BETWEEN:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

- and -

JEREMY WANNAMAKER AND LEVI WANNAMAKER

Respondents/Tenants

EVICITION ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 63(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondents shall be evicted from the premises known as Apartment 304, 42 Con Road, Yellowknife, NT on January 16, 2014 unless the rent arrears and the rent for January, 2014 in the total amount of seven thousand four hundred eighty five dollars (\$7485.00) is paid in full on or before January 15, 2014.

DATED at the City of Yellowknife, in the Northwest Territories this 17th day of
December, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
JEREMY WANNAMAKER AND LEVI WANNAMAKER, 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:

NPR LIMITED PARTNERSHIP

Applicant/Landlord

-and-

JEREMY WANNAMAKER AND LEVI WANNAMAKER

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: December 13, 2013

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Connie Diener, representing the applicant

Date of Decision: December 13, 2013

REASONS FOR DECISION

The respondents were unable to be served by personal service. The applicant was notified and asked to check if the respondents had vacated the premises. The applicant testified that a staff member had entered the apartment believing it to be abandoned, to find it still occupied by the respondents. Another Notice of Attendance was sent to the respondents by registered mail. At the time of the hearing there was no confirmation of delivery. In my opinion, the respondents are avoiding service of the Notice of Attendance and it is not unreasonable to deem the notice served in accordance with section 71(5) of the *Residential Tenancies Act*. The respondents failed to appear at the hearing and the hearing was held in their absence.

The tenancy agreement between the parties will be terminated on January 15, 2014 unless the respondents pay the applicant rent arrears plus the January rent in the total amount of \$7485 (file #10-13737, filed on December 17, 2013). In my opinion, the eviction is justified if the respondents fail to pay the ordered amounts and remain in possession of the premises after January 15, 2014.

Hal Logsdon
Rental Officer