

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
MAIGAN LEFRANCOIS, 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 -

MAIGAN LEFRANCOIS

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 5418 - 52nd Street, Yellowknife, NT on April 1, 2014 unless rent arrears in the amount of two thousand five hundred five dollars (\$2505.00) are paid in full on or before March 31, 2014.

DATED at the City of Yellowknife, in the Northwest Territories this 13th day of March,
2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **NPR LIMITED PARTNERSHIP**, Applicant, and
MAIGAN LEFRANCOIS, 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-

MAIGAN LEFRANCOIS

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 12, 2014

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Marie Laberge, representing the applicant

Date of Decision: March 12, 2014

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail but failed to appear at the hearing. There was no confirmation that the notice had been received, but an attempted delivery was made on February 28, 2014 and a notice left by Canada Post indicating that the item was available for pick-up. The applicant stated that the respondent was still in possession of the premises. The respondent was formerly employed by the applicant and is very familiar with process pursuant to the *Residential Tenancies Act*. The applicant stated that the respondent's room mates have attended her office and are aware of the status of the rent account. The respondent's failure to pick up the application and the notice suggest she may be avoiding service. In my opinion, it is not unreasonable to deem the Notices 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 March 31, 2014 unless the respondent pays the applicant rent arrears of \$2505 on or before that date (file #10-13936, filed on March 13, 2014). In my opinion, the eviction is justified if the respondent fails to pay the ordered rent arrears and remains in the premises after March 31, 2014.

Hal Logsdon
Rental Officer