

IN THE MATTER between **YELLOWKNIFE DAIRIES LTD. O/A YKD PROPERTY MANAGEMENT**, Applicant, and **RAYMOND SEEGERTS AND DION EDJERRICON AND MYRLANDA POWDER**, 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:

YELLOWKNIFE DAIRIES LTD. O/A YKD PROPERTY MANAGEMENT

Applicant/Landlord

- and -

RAYMOND SEEGERTS AND DION EDJERRICON AND MYRLANDA POWDER

Respondents/Tenants

EVICITION ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 63(4)(a) of the *Residential Tenancies Act*, the respondents shall be evicted from the premises known as Apartment B, 5104 - 53rd Street, Yellowknife, NT on September 11, 2014 unless the rent arrears and the rent for September, 2014 in the total amount of three thousand nine hundred thirty dollars (\$3930.00) are paid in full on or before September 10, 2014.

DATED at the City of Yellowknife, in the Northwest Territories this 27th day of August, 2014.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE DAIRIES LTD. O/A YKD PROPERTY MANAGEMENT**, Applicant, and **RAYMOND SEEGERTS AND DION EDJERRICON AND MYRLANDA POWDER**, 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.

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Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: August 27, 2014

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Charles Wyman, representing the applicant

Date of Decision: August 27, 2014

REASONS FOR DECISION

The respondents were sent Notices of Attendance by registered mail on August 8, 2014. At the time of the hearing there was no confirmation of delivery but Canada Post advised that a notice had been left with the respondents on August 12, 2014 advising that the item was available for pick up. A voice mail message was also left advising the respondents of the date, time and location of the hearing. In my opinion, it is not unreasonable to deem the notices served in accordance with section 71(5) of the *Residential Tenancies Act*. The respondents did not appear at the hearing and the matter was heard in their absence.

The tenancy agreement between the parties will be terminated by order on September 10, 2014 unless the respondents pay the applicant rent arrears and the September, 2014 rent in the amount of \$3930 on or before that date (file #10-12455, filed on August 27, 2014).

In my opinion, the eviction is justified if the ordered amount is not paid and the respondents remain in possession of the rental premises after September 10, 2014.

Hal Logsdon
Rental Officer