

IN THE MATTER between **Satdeo Inc.**, Applicant, and **Douglas Gauthier**, Respondent;

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, **Adelle Guigon**, Deputy Rental Officer, regarding a rental premises within **the town of Hay River in the Northwest Territories**.

BETWEEN:

SATDEO INC.

Applicant/Landlord

- and -

DOUGLAS GAUTHIER

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$5,200.00 (five thousand two hundred dollars).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the rental premises known as #904, 3 Capital Drive, in Hay River, Northwest Territories, will terminate February 28, 2015, unless the rental arrears of \$5,200.00 (five thousand two hundred dollars) are paid in full and the rent for February is paid on time.

DATED at the City of Yellowknife in the Northwest Territories this 22nd day of January 2015.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Satdeo Inc.**, Applicant, and **Douglas Gauthier**, 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.

BETWEEN:

SATDEO INC.

Applicant/Landlord

-and-

DOUGLAS GAUTHIER

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **January 21, 2015**

Place of the Hearing: **Hay River, Northwest Territories**

Appearances at Hearing: **Blaine Maillet, representing the applicant**

Date of Decision: **January 21, 2015**

REASONS FOR DECISION

An application to a rental officer made by Satdeo Inc. as the applicant/landlord against Douglas Gauthier as the respondent/tenant was filed by the Rental Office November 7, 2014. The application was made regarding a residential tenancy agreement for the rental premises known as #904, 3 Capital Drive, in Hay River, Northwest Territories. The applicant personally served a copy of the filed application on the respondent November 17, 2014.

The applicant alleged the respondent had accumulated rental arrears and sought an order for payment of rental arrears and termination of the tenancy agreement. No documentary evidence was submitted.

A hearing was scheduled for January 21, 2015, in Hay River, Northwest Territories. Mr. Blaine Maillet appeared representing the applicant. Mr. Douglas Gauthier was served a notice of attendance by registered mail deemed served January 12, 2015, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). Mr. Gauthier did not appear at hearing, nor did anyone appear on his behalf. The hearing proceeded in his absence pursuant to section 80(2) of the Act.

Mr. Maillet testified that Mr. Gauthier had a verbal tenancy agreement with the applicant. The agreed upon rent was deemed to be \$1,250 for a one-bedroom apartment. The current rental arrears claimed by the applicant are \$5,200 representing outstanding rent for the months of September 2014 to January 2015. In light of the substantial amount of rental arrears, the applicant requested an order for payment of rental arrears and termination of the tenancy agreement.

I am satisfied Mr. Gauthier does have rental arrears in the amount of \$5,200 and an order will issue requiring him to pay those arrears. Mr. Maillet was unable to quantify whether or not Mr. Gauthier has a historical pattern of behaviour of repeatedly failing to pay his rent or if the present situation is a new occurrence. I am satisfied termination of the tenancy agreement is justified due to the substantial amount of arrears, however, I find a conditional termination order warrant. An order will issue terminating Mr. Gauthier's tenancy on February 28, 2015, unless the rental arrears are paid in full and the rent for February is paid on time.

Adelle Guigon
Deputy Rental Officer