

IN THE MATTER between **TULITA HOUSING ASSOCIATION**, Applicant, and
CLAYTON MACCAULEY, 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, **HAL LOGSDON**, Rental Officer,
regarding the rental premises at **TULITA, NT**.

BETWEEN:

TULITA HOUSING ASSOCIATION

Applicant/Landlord

- and -

CLAYTON MACCAULEY

Respondent/Tenant

EVICITION ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 63(4)(a) of the *Residential Tenancies Act*, the respondent shall be evicted from the premises known as #0069, Tulita, NT on May 1, 2015.

DATED at the City of Yellowknife, in the Northwest Territories this 13th day of March,
2015.

Hal Logsdon
Rental Officer

IN THE MATTER between **TULITA HOUSING ASSOCIATION**, Applicant, and
CLAYTON MACCAULEY, 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:

TULITA HOUSING ASSOCIATION

Applicant/Landlord

-and-

CLAYTON MACCAULEY

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 18, 2015

Place of the Hearing: Tulita, NT

Appearances at Hearing: Helen Squirrel, representing the applicant

Date of Decision: March 13, 2015

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail. At the time of the hearing, there was no confirmation of delivery but Canada Post confirmed that a notice had been left at the respondent's address advising him of the item and where it could be picked up. In addition, the rental officer contacted the respondent by telephone on February 12, 2015 advising him of the notice and the date, time and location of the hearing. The respondent failed to appear at the hearing. In my opinion it is not unreasonable to deem the Notice of Attendance served in accordance with section 71(5) of the *Residential Tenancies Act*. The matter was heard in the absence of the respondent.

The tenancy agreement between the parties will be terminated by order on April 30, 2015 for non-payment of rent and failure to report the household income (file #20-14476, filed on March 13, 2015). In my opinion, the eviction is justified if the respondent remains in possession of the premises after April 30, 2015.

Hal Logsdon
Rental Officer