

## REASONS FOR THE ORDER OF THE COMMISSIONER OF TENANCIES

### INQUIRY – 14<sup>th</sup> March 2002

This is the determination of an application by the Landlord for an order of possession under section 104 and compensation under sections 121 & 122 of the *Residential Tenancies Act (1999)* (“the Act”), in respect of premises being Unit 6/86 Woods Street Darwin 0800, in the Northern Territory.

A Notice of Inquiry dated 7th March 2002 was posted to each of the parties and the hearing was conducted on 14<sup>th</sup> March 2002 when evidence was taken from the Landlord, the tenant also attended.

On the basis of the evidence before the Inquiry, I find that there is a tenancy agreement within the meaning of and subject to the provisions of the Act on the following terms:

Premises:	Unit 6/86 Wood Street Darwin NT 0800
Commencement Date:	17 <sup>th</sup> May 01
Ending Fixed Term:	16 <sup>th</sup> August 01
Periodical Tenancy:	16 <sup>th</sup> August 01
Period:	Six (6) months
Rent:	\$150 per week
Security Deposit:	\$600

I find that the rental payment to the Landlord was more than fourteen (14) days in arrears at the time that the Agent served a Notice to remedy Unpaid Rental/Notice of Termination (“the Notice”)

I find the Notice complies with the requirements of section 87(2).

I am not satisfied that the Notice was served. In that regard I note that the Tenant was interstate at the time the notice was posted and did not return until after the compliance day of 4 March 2001.

On the basis of the above, I order that the application be dismissed.

Dated this 14<sup>th</sup> March 2002.

Sophie Cleveland  
Delegate of the Commissioner of Tenancies