

IN THE TERRITORIAL COURT OF THE YUKON TERRITORY

T.C. No.:

**IN THE MATTER OF THE LANDLORD AND TENANT ACT
R.S.Y.T. 1986, CHAPTER 98 AND AMENDMENTS THERETO**

BETWEEN:

LANDLORD

AND:

TENANT

APPOINTMENT

I APPOINT:

TIME:

DATE: _____, _____

PLACE: Territorial Court of the Yukon Territory
Whitehorse, Yukon

as the time and place for the hearing of the Application of the Landlord for an Order terminating the tenancy immediately, and for a warrant for the eviction of the Tenants pursuant to an Order for possession.

Clerk of the Territorial Court

TO: _____,
Whitehorse, Yukon Territory.

TAKE NOTICE of the above Application

Landlord

THIS APPOINTMENT is issued by
Landlord, whose place of business and address for delivery is
_____, Whitehorse, Yukon, Y1A

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Whitehorse, Yukon
Y1A

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APPLICATION

To the Tenant,

TAKE NOTICE that the Landlord, hereby applies, pursuant to the provisions of Sections 76 (2) and 93(1)(a) of the Landlord and Tenant Act to a Judge of the Territorial Court of the Yukon Territory, for an Order permitting Short service of the Application and the Affidavit in support of the Application Upon the Tenant herein, that the tenancy respecting the premises situated at ,Whitehorse, Yukon Territory is terminated as of the date of any Order made herein, and for an Order that the Landlord is entitled to regain possession of the said premises, and that the said Judge issue a warrant in the prescribed form to the Sheriff of the Yukon Territory, or a peace officer for the City of Whitehorse, commanding him/her within the period therein named, to enter into the premises and give possession of the premises to the Landlord.

The Landlord, also applies for an Order that the Landlord is entitled to compensation for the use and occupation of the premises from February 2002 until such time as the said premises are vacated and for an Order that the Landlord may retain the damaged deposit pending determination of damages to the rental premises.

THE GROUNDS upon which this application is made are that the Tenant has committed a substantial breach of Tenancy Agreement by failing to vacate the premises upon termination of the tenancy.

IN SUPPORT of this Application will be read the Affidavit of _____, sworn the 14th day of February 2002 and filed herein

DATED at the City of Whitehorse, in the Yukon Territory, this __ day of February, 2002.

LANDLORD

THIS APPLICATION is issued by Landlord, whose place of business and address for delivery is _____ Whitehorse, Yukon Y1A _____.

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APPLICATION

Whitehorse, Yukon
Y1A

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BETWEEN:

LANDLORD

AND:

TENANT

AFFIDAVIT

I, , of the City of Whitehorse, in the Yukon Territory, MAKE OATH (OR SOLEMNLY AFFIRM) AND SAY AS FOLLOWS:

1. THAT I am the Landlord herein and as such have personal knowledge of the facts hereinafter deposed to, save and except where the same are stated to be made upon information and belief and in which case I verify believe the same to be true.
1. THAT attached hereto and marked Exhibit "A" to this my Affidavit is a photocopy of the notice to vacate the premises dated , 2002 .
1. THAT the signed original of this document was personally delivered to the tenant by me on the day of , 2002.
1. THAT the tenancy is on a monthly basis, pursuant to an agreement between the Landlord and the Tenant
1. THAT the rental property is , in the City of Whitehorse, in the Yukon Territory.
1. THAT the amount due for rent of the premises was the sum of _____ per month which sum was payable on the first day of each and every month.
1. THAT as shown on Exhibit "A" throughout the term of this tenancy the Tenant has persistently defaulted in making rental payments when due, requiring me to make numerous demands upon them to pay the rent outstanding
1. THAT I have not received any amount of rent from the Tenants for the month of _____, _____.
1. THAT I make this Affidavit in support of an Application for an Order permitting short

service of this Application that the tenancy be terminated immediately, an Order for possession and a warrant to effect this purpose and for an Order the Landlord is entitled to compensation for use and occupation of the premises by the Tenant from 1 February 2002 to the date the premises are vacated and for no improper purpose

1. THAT on the 24th day of January, 2002 I was advised and verily believe that the Tenants would not be moving out of the property on 24 January 2002 because they had not found suitable accommodations
1. THAT I am concerned for the safety of the Tenants in those premises at 116 Galeena Road, with the protection of their property and their persons and with damage to the interior of Unit # 6 at 115 Galeena Road unless I can obtain vacant possession of the property.

Affolter Affidavit

SWORN (OR AFFIRMED) BEFORE ME)
at the City of Whitehorse, in the Yukon)
Territory, this 25th day of January)
2002)

_____))
A NOTARY PUBLIC IN AND FOR THE)
YUKON TERRITORY)

_____))
LANDLORD

THIS AFFIDAVIT is issued by Hans Affolter, the Landlord, whose place of business and address for delivery is _____

_____.

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BETWEEN:

HANS AFFOLTER

LANDLORD

AND:

BELINDA JANSSENS

TENANT

AFFIDAVIT

Whitehorse, Yukon
Y1A

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BETWEEN:

LANDLORD

AND:

TENANT

AFFIDAVIT OF SERVICE

I, _____, Process Server, of the City of
Whitehorse, in the Yukon Territory, **MAKE OATH AND SAY:**

1. THAT I did on the _____ day of _____, _____, A.D. At the
hour of _____ o'clock in the _____ noon, serve the abovenamed TENANT,
_____, with APPOINTMENT, APPLICATION and
AFFIDAVIT of _____ in this action, now produced and
shown to me marked Exhibits A, B, & C respectively to this my Affidavit by
delivering to and leaving true copies of the same with _____,
_____.

2. THAT I actually and necessarily travelled _____ km to serve the said.

SWORN BEFORE ME at the City of _____)
Whitehorse, in the Yukon Territory,)
this _____ day of _____, _____)
_____)
_____)
_____)
_____)
A NOTARY PUBLIC IN AND FOR THE)
YUKON TERRITORY)

LANDLORD

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AFFIDAVIT OF SERVICE

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