

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **BYRON BUTT**, 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,
regarding the rental premises at **YELLOWKNIFE, NT**.

BETWEEN:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

BYRON BUTT

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of one hundred fourteen dollars (\$114.00).
2. Pursuant to section 45(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant costs of electricity paid on his behalf in the amount of three hundred seventy nine dollars and sixty one cents (\$379.61).
3. Pursuant to section 78(2) of the *Residential Tenancies Act*, the issue of further remedy for the applicant will be dealt with at a separate hearing on May 4, 2004 at 3:30 PM in the 3rd Floor boardroom in the Panda II Centre.

DATED at the City of Yellowknife, in the Northwest Territories this 16th day of April,
2004.

Hal Logsdon
Rental Officer

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BETWEEN:

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Applicant/Landlord

-and-

BYRON BUTT

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 13, 2004

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Mary George, representing the applicant
Byron Butt Sr., representing the respondent

Date of Decision: April 13, 2004

REASONS FOR DECISION

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay the full amount of rent and by failing to pay for electricity for the premises. The applicant sought an order requiring the respondent to pay the alleged rent arrears and compensation for electrical costs which had been paid on his behalf. The applicant initially sought an order for termination of the tenancy agreement but stated that, given the circumstances, they did not wish termination at this time.

The applicant stated that the respondent received income support and that the program paid for his rent and electrical bills when they were submitted. The applicant stated that cheques had been issued by income support to pay estimated electrical costs but had not been submitted to the supplier by the respondent, resulting in arrears which the applicant eventually had to pay. The applicant was hopeful that a meeting with income support and the respondent would result in a bill submission and payment protocol that would eliminate the problem. The applicant speculated that the respondent, who is disabled, was giving the cheques to a friend for payment.

The respondent was represented by his father who stated that the respondent was currently in hospital for treatment but would return home soon. He agreed to help the respondent submit past bills and work with income support to determine where the missing cheques went and bring the accounts up to date.

I find the applicants accounting of the rent and utility payments to be in order. I find the rent arrears to be \$114 and the electricity bills paid on behalf of the respondent to be \$379.61. An order shall issue requiring the respondent to pay the applicant these amounts.

In my opinion, the consideration of any further remedy for the landlord should be considered after the parties have had an opportunity to meet with income support officials. These matters are adjourned to a hearing on May 4, 2004 at 3:30 PM in the Panda II Centre (large boardroom). The parties shall appear at that time. No further notice will be issued.

Hal Logsdon
Rental Officer