

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,
Applicant, and **FRANCES MANDEVILLE AND GARVIN LIZOTTE**, Respondents;

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 **FORT RESOLUTION, NT.**

BETWEEN:

FORT RESOLUTION HOUSING AUTHORITY

Applicant/Landlord

- and -

FRANCES MANDEVILLE AND GARVIN LIZOTTE

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of twenty three thousand one hundred twenty nine dollars (\$23,129).
2. Pursuant to section 84(2) of the *Residential Tenancies Act*, the respondents may pay the rent arrears in monthly installments of no less than one hundred dollars (\$100.00), the first payment becoming due on October 1, 2004 and payable thereafter, along with the rent, on the first day of every month until the arrears are paid in full.
3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay

future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 8th day of
September, 2004.

Hal Logsdon
Rental Officer

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BETWEEN:

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Applicant/Landlord

-and-

FRANCES MANDEVILLE AND GARVIN LIZOTTE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: August 24, 2004

Place of the Hearing: Fort Resolution, NT

Appearances at Hearing: Joyce Beaulieu, representing the applicant
Elizabeth-Ann McKay, representing the applicant
Frances Mandeville, respondent

Date of Decision: September 8, 2004

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and termination of the tenancy agreement.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$25,020.

A previous order was filed on January 14, 2004 requiring the respondents to pay rent arrears of \$3799 and pay future rent on time. The order has not been satisfied. Since the previous order was filed, the respondents have paid only \$1908 in rent. Since the issuance of the previous order rent in the amount of \$23,129 has come due.

The respondent did not dispute the allegations and indicated she could pay the arrears in monthly installments of \$100, along with the assessed rent. The applicant was agreeable with the proposal and withdrew the request to terminate the tenancy agreement.

I find the respondents in breach of their obligation to pay rent. I find the rent arrears to be \$25,020. Taking into account the unsatisfied balance on the previous order, an order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$23,129. The respondents may pay the arrears in monthly installments of no less than \$100. The first

installment shall be paid on October 1, 2004 along with the assessed rent. Monthly payments shall be made, along with the rent, on the first day of every month thereafter, until the rent arrears are paid in full. The monthly rent shall be paid on time.

Should the respondents fail to make monthly payments of rent and arrears in accordance with this order, the applicant may make a future application seeking the lump sum payment of any balance and/or termination of the tenancy agreement.

Hal Logsdon
Rental Officer