

IN THE MATTER between **DEH CHO HEALTH AND SOCIAL SERVICES AUTHORITY**, Applicant, and **EDREENA MCKINSLEY-WILSON**, 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 **FORT LIARD, NT**.

BETWEEN:

DEH CHO HEALTH AND SOCIAL SERVICES AUTHORITY

Applicant/Landlord

- and -

EDREENA MCKINSLEY-WILSON

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 and compensation for bank charges in the amount of six thousand and ten dollars (\$6010.00).

DATED at the City of Yellowknife, in the Northwest Territories this 19th day of August, 2004.

Hal Logsdon
Rental Officer

IN THE MATTER between **DEH CHO HEALTH AND SOCIAL SERVICES AUTHORITY**, Applicant, and **EDREENA MCKINSLEY-WILSON**, 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:

DEH CHO HEALTH AND SOCIAL SERVICES AUTHORITY

Applicant/Landlord

-and-

EDREENA MCKINSLEY-WILSON

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 19, 2004

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: David Nurse, representing the applicant
David Westcott, witness for the applicant

Date of Decision: August 19, 2004

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail on July 29, 2004. Pursuant to section 71(2) of the *Residential Tenancies Act*, the notice was deemed served at the time of the hearing. The hearing was held in the absence of the respondent.

The applicant alleged that the respondent had breached the tenancy agreement and section 41 of the *Residential Tenancies Act* by failing to pay rent. The applicant stated that the respondent vacated the premises in late May or early June, 2004. The applicant stated that the respondent had failed to pay rent for the months of December, 2003 and January-May, 2004. The written tenancy agreement between the parties sets out the rent for the premises as \$1000/month. The applicant sought an order requiring the respondent to pay the alleged rent arrears in the amount of \$6000.

The applicant also provided copies of two cheques which had been returned by the bank due to insufficient funds and documentation of the applicable service fees. The applicant sought compensation for the bank fees. The bank notices indicate fees of \$5 per cheque for a total of \$10.

The evidence supports the applicant's allegations pertaining to non-payment of rent. I find the respondent in breach of her obligation to pay rent and find the rent arrears to be \$6000. In my opinion, the applicant is also entitled to compensation for the \$10 in bank fees.

An order shall issue requiring the respondent to pay the applicant rent arrears and bank fees in the amount of \$6010.

Hal Logsdon
Rental Officer