

IN THE MATTER between **FORT SMITH HOUSING AUTHORITY**, Applicant, and **CALINDA MABBITT**, 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 SMITH, NT**.

BETWEEN:

FORT SMITH HOUSING AUTHORITY

Applicant/Landlord

- and -

CALINDA MABBITT

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 six thousand eight hundred forty two dollars (\$6842.00).
2. Pursuant to section 84(2) of the *Residential Tenancies Act* the respondent may pay the rent arrears in monthly installments of no less than two hundred dollars (\$200.00), the first installment being due on January 31, 2005, and payable thereafter no later than the last day of each month, until this order is fully satisfied.

3. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 4th day of January, 2005.

Hal Logsdon
Rental Officer

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AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act");

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BETWEEN:

FORT SMITH HOUSING AUTHORITY

Applicant/Landlord

-and-

CALINDA MABBITT

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: December 21, 2004

Place of the Hearing: Fort Smith, NT

Appearances at Hearing: Ruth White, representing the applicant
Calinda Mabbitt, respondent

Date of Decision: December 21, 2004

REASONS FOR DECISION

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

The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$6842.

The respondent did not dispute the allegations and stated that she could pay the rent arrears in installments of \$200 along with the rent. The applicant accepted the offer and withdrew the request for termination in favour of an order to pay the rent arrears in installments of \$200 and to pay the future rent on time.

I find the respondent in breach of her obligation to pay rent and find the rent arrears to be \$6842. An order shall issue requiring the respondent to pay the rent arrears in installments of \$200 and to pay future rent on time. The first installment shall be due on January 31, 2005 and thereafter on the last day of each month until the arrears are paid in full.

Should the respondent fail to pay the rent arrears in accordance with this order or fail to pay the rent on time, the applicant may file a future application seeking the lump sum payment of any balance and termination of the tenancy agreement.

Hal Logsdon
Rental Officer