

IN THE MATTER between **RAE-EDZO HOUSING AUTHORITY**, Applicant, and
NORA BEAULIEU-TONKA, 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 **RAE-EDZO, NT**.

BETWEEN:

RAE-EDZO HOUSING AUTHORITY

Applicant/Landlord

- and -

NORA BEAULIEU-TONKA

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as unit #266, Edzia Tili, Rae, NT shall be terminated on March 31, 2005 and the respondent shall vacate the premises on that date unless the respondent pays the applicant at least one thousand two hundred forty eight dollars (\$1248.00).
2. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in excess of the previous order (File #10-8098, filed on November 16, 2004) in the amount of eight hundred forty eight dollars (\$848.00).

DATED at the City of Yellowknife, in the Northwest Territories this 15th day of March,
2005.

Hal Logsdon
Rental Officer

IN THE MATTER between **RAE-EDZO HOUSING AUTHORITY**, Applicant, and
NORA BEAULIEU-TONKA, 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:

RAE-EDZO HOUSING AUTHORITY

Applicant/Landlord

-and-

NORA BEAULIEU-TONKA

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 2, 2005

Place of the Hearing: Rae-Edzo, NT

Appearances at Hearing: Bob Richardson, representing the applicant

Date of Decision: March 2, 2005

REASONS FOR DECISION

The respondent was served with a Notice of Attendance on February 24, 2005 but failed to appear at the hearing. The hearing was held in her absence.

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 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 \$13,798.64.

A previous order (File #10-8098, filed on November 16, 2004) required the respondent to pay rent arrears in monthly installments of at least \$100 and to pay the monthly rent on time. The ledger indicates that the respondent failed to satisfy the previous order.

The respondent has made payments since the previous order was issued but has failed to pay any of the arrears or the March, 2005 rent. The applicant indicated that they would be satisfied to permit the tenancy to continue if the respondent made sufficient payments by March 31, 2005 to comply with the previous order. I find that amount to be \$1248, calculated as follows:

Amount due since previous order issued	\$4176
Amount paid since previous order	<u>(2928)</u>
Total	\$1248

I find the respondent in breach of the previous order. The rent arrears have increased by \$848

since the previous order was issued when they should have decreased by \$400. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the respondent makes sufficient payments to comply with the previous order.

The previous order shall remain in effect requiring the respondent to pay \$100/month in addition to the assessed rent. An order shall issue terminating the tenancy agreement on March 31, 2005 unless the respondent pays the applicant at least \$1248. The order shall also require the respondent to pay rent arrears in excess of the previous order in the amount of \$848.

Hal Logsdon
Rental Officer