

IN THE MATTER between **HAY RIVER HOUSING AUTHORITY**, Applicant, and **DELORES DOWNEY**, 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 **HAY RIVER, NT**.

BETWEEN:

HAY RIVER HOUSING AUTHORITY

Applicant/Landlord

- and -

DELORES DOWNEY

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 four hundred forty one dollars (\$441.00).
2. Pursuant to section 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as #7 Balsam Road, Hay River, NT shall be terminated on October 31, 2005 and the respondent shall vacate the premises on that date, unless the rent arrears are paid in full.

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 7th day of October, 2005.

Hal Logsdon
Rental Officer

IN THE MATTER between **HAY RIVER HOUSING AUTHORITY**, Applicant, and **DELORES DOWNEY**, Respondent.

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:

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Applicant/Landlord

-and-

DELORES DOWNEY

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	October 6, 2005
<u>Place of the Hearing:</u>	Hay River, NT via teleconference
<u>Appearances at Hearing:</u>	Christine Smith, representing the applicant Delores Downey, respondent
<u>Date of Decision:</u>	October 6, 2005

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 between the parties. The rental premises are subsidized public housing.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing in the amount of \$441.00. The rent arrears represent unpaid rent for August, September and October, 2005.

The respondent did not dispute the allegations and stated that she could pay the rent by the end of October, 2005. She stated that she had been supporting her daughter and child who had no income. The applicant consented to continue the tenancy provided the rent was paid by October 31, 2005.

I find the respondent in breach of her obligation to pay rent and find the rent arrears to be \$441.00. An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$441.00 and terminating the tenancy agreement on October 31, 2005 unless those arrears are paid in full. Should the tenancy agreement continue, the respondent is also ordered to pay future rent on time.

Hal Logsdon
Rental Officer