

IN THE MATTER between **HAY RIVER HOUSING AUTHORITY**, Applicant, and **SONYA CAYEN AND MARCEL FRIESE**, 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 **HAY RIVER, NT**.

BETWEEN:

HAY RIVER HOUSING AUTHORITY

Applicant/Landlord

- and -

SONYA CAYEN AND MARCEL FRIESE

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 six hundred ninety four dollars and eighty four cents (\$694.84).
2. 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 36 Stewart Drive, Hay River, NT shall be terminated on January 31, 2006 and the respondents shall vacate the premises on that date, unless the rent arrears are paid in full.

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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 3rd day of January, 2006.

Hal Logsdon
Rental Officer

IN THE MATTER between **HAY RIVER HOUSING AUTHORITY**, Applicant, and **SONYA CAYEN AND MARCEL FRIESE**, Respondents.

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BETWEEN:

HAY RIVER HOUSING AUTHORITY

Applicant/Landlord

-and-

SONYA CAYEN AND MARCEL FRIESE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: January 3, 2006

Place of the Hearing: Hay River, NT via teleconference

Appearances at Hearing: Christine Smith, representing the applicant

Date of Decision: January 3, 2006

REASONS FOR DECISION

The respondents were served with Notices of Attendance sent by registered mail to the rental premises and confirmed delivered. The respondents failed to appear at the hearing and the hearing was held in their absence.

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

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing as at January 3, 2006 in the amount of \$694.84. The applicant testified that the January rent had not been assessed and that the respondents' rent usually varied from month to month. The premises are subsidized public housing.

The applicant stated that they would be willing to continue the tenancy agreement if the rent arrears were paid in full by January 31, 2006.

I find the respondents in breach of their obligation to pay rent and find the rent arrears to be \$694.84. An order shall issue requiring the respondents to pay the rent arrears and terminating the tenancy agreement on January 31, 2006 unless the arrears are paid in full. The respondents are also ordered to pay future rent on time.

Hal Logsdon
Rental Officer