

IN THE MATTER between **FORT MCPHERSON HOUSING ASSOCIATION**, Applicant, and **WILLIAM NERYSOO AND EDNA NERYSOO**, 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 **FORT MCPHERSON, NT**.

BETWEEN:

FORT MCPHERSON HOUSING ASSOCIATION

Applicant/Landlord

- and -

WILLIAM NERYSOO AND EDNA NERYSOO

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 four hundred ninety five dollars (\$495.00).
2. Pursuant to section 42(3)(e) of the *Residential Tenancies Act*, the respondents shall pay the applicant a call out charge for unlocking the door for the respondents in the amount of thirty five dollars (\$35.00).
3. Pursuant to sections 41(4)(c), 42(3)(f) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 0125 Harriet Stewart Street, Fort McPherson, NT shall be terminated on September 30, 2007 and the

respondents shall vacate the premises on that date, unless the rent arrears and call out charge in the total amount of five hundred thirty dollars (\$530.00) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 30th day of August, 2007.

Hal Logsdon
Rental Officer

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R-5 (the "Act");

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BETWEEN:

FORT MCPHERSON HOUSING ASSOCIATION

Applicant/Landlord

-and-

WILLIAM NERYSOO AND EDNA NERYSOO

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: August 29, 2007

Place of the Hearing: Fort McPherson, NT via teleconference

Appearances at Hearing: Ina Arey, representing the applicant

Date of Decision: August 29, 2007

REASONS FOR DECISION

The respondents were served with Notices of Attendance sent by registered mail to their usual address. The applicant testified that the respondents were still in possession of the premises. 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 by failing to pay for a call out charge to unlock the premises for the respondents. The applicant sought an order requiring the respondents to pay the alleged rent arrears and call out charge and terminating the tenancy agreement unless the arrears and call out charge were paid in full. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of \$530. The applicant also provided the work order for the call out charge in evidence.

I find the ledger in order and find the respondents in breach of their obligations to pay rent and the outstanding call out charge. I find the balance of rent owing to be \$495 and the call out charge of \$35 to be reasonable. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears and the call out charge are paid in full.

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of

\$495 and the call out charge of \$35 and terminating the tenancy agreement on September 30, 2007 unless those amounts are paid in full.

Hal Logsdon
Rental Officer