

IN THE MATTER between **FORT PROVIDENCE HOUSING ASSOCIATION**,
Applicant, and **CLARENCE TONKA AND PRISCILLA CAUSA**, 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 PROVIDENCE, NT**.

BETWEEN:

FORT PROVIDENCE HOUSING ASSOCIATION

Applicant/Landlord

- and -

CLARENCE TONKA AND PRISCILLA CAUSA

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 84(3) and 41(4)(a) of the *Residential Tenancies Act*, the previous order (File #10-9733, filed on October 9, 2007) is rescinded and the respondents are ordered to pay the applicant rent arrears in the amount of one thousand sixty six dollars and sixty seven cents (\$1066.67).
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 Unit 68B, Lot 154, Fort Providence, NT shall be terminated on August 31, 2008 and the respondents shall vacate the premises on that date, unless the rent arrears in the amount of one thousand sixty six dollars and sixty seven cents (\$1066.67) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 15th day of July,
2008.

Hal Logsdon
Rental Officer

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BETWEEN:

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Applicant/Landlord

-and-

CLARENCE TONKA AND PRISCILLA CAUSA

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	July 9, 2008
<u>Place of the Hearing:</u>	Fort Providence, NT via teleconference
<u>Appearances at Hearing:</u>	Alphonsine Gargan, representing the applicant Rose Vandell, representing the applicant Priscilla Cause, respondent
<u>Date of Decision:</u>	July 9, 2008

REASONS FOR DECISION

The applicant alleged that the respondents had breached an order (File #10-9733, filed on October 9, 2007) requiring them to pay rent arrears of \$2774 in monthly installments of \$400 and to pay the monthly rent on time. The applicant sought an order rescinding the previous order, ordering the respondents to pay the remaining balance, and terminating the tenancy agreement unless the rent arrears were paid in full.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$1066.67.

The respondent did not dispute the balance owing and stated that Mr. Tonka was incarcerated until August 3, 2008 and would pay the arrears after he was released.

Had the respondents made the payments required by the previous order, the arrears would have been paid in full by April 30, 2008. I find the respondents in breach of the previous order. I find the ledger in order and find the rent arrears to be \$1066.67. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless those arrears are paid in full on or before August 31, 2008.

An order shall issue rescinding the previous order and ordering the respondents to pay the remaining rent arrears of \$1066.67. The tenancy agreement shall be terminated on August 31,

2008 unless those arrears are paid in full.

This decision was made known to the parties at the conclusion of the hearing.

Hal Logsdon
Rental Officer
