

IN THE MATTER between **LUTSEL K'E HOUSING AUTHORITY**, Applicant, and **RON FATT**, 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 **LUTSEL K'E, NT.**

BETWEEN:

LUTSEL K'E HOUSING AUTHORITY

Applicant/Landlord

- and -

RON FATT

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 thirteen thousand nine hundred seventy one dollars (\$13,971).
2. 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 19th day of July, 2008.

Hal Logsdon
Rental Officer

IN THE MATTER between **LUTSEL K'E HOUSING AUTHORITY**, Applicant, and **RON FATT**, 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:

LUTSEL K'E HOUSING AUTHORITY

Applicant/Landlord

-and-

RON FATT

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: July 16, 2008

Place of the Hearing: Lutselk'e, NT

Appearances at Hearing: Mary Rose Casaway, representing the applicant

Date of Decision: July 16, 2008

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail. The application was served by registered mail and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in his absence. In my opinion it is reasonable to deem the Notice of Attendance served pursuant to section 71(2) of the *Residential Tenancies Act*.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent. The applicant sought an order requiring the respondent to pay the alleged rent arrears and to pay future rent on time. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent in the amount of \$13,971. The full unsubsidized rent has been charged for January, February, March, April, May and July, 2008. A letter from the subsidy agent, provided in evidence indicates that the respondent has failed to provide any income information on which to calculate the rent.

I find the ledger in order and find the respondent in breach of his obligation to pay rent. I find the application of the full unsubsidized rent to be reasonable. I find the rent arrears to be \$13,971.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$13,971 and to pay future rent on time.

Hal Logsdon
Rental Officer
