

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,
and **WAYNE BOUTILIER AND CHRISTY HORESAY**, 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 SIMPSON, NT**.

BETWEEN:

FORT SIMPSON HOUSING AUTHORITY

Applicant/Landlord

- and -

WAYNE BOUTILIER AND CHRISTY HORESAY

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84(3) and 41(4)(a) of the *Residential Tenancies Act*, the previous order (file #10-9580, filed on June 27, 2007) is rescinded and the respondents are ordered to pay the applicant rent arrears in the amount of twelve thousand eight hundred forty seven dollars (\$12,847.00).
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 #URS6, 9812A - 104 Avenue, Fort Simpson, NT shall be terminated on February 28, 2008 and the respondents shall vacate the premises on that date unless the rent arrears in the amount of twelve thousand

eight hundred forty seven dollars (\$12,847.00) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 11th day of January,
2008.

Hal Logsdon
Rental Officer

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BETWEEN:

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Applicant/Landlord

-and-

WAYNE BOUTILIER AND CHRISTY HORESAY

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: January 10, 2008

Place of the Hearing: Fort Simpson, NT

Appearances at Hearing: Hilda Gerlock, representing the applicant

Date of Decision: January 10, 2008

REASONS FOR DECISION

The respondents were served with Notices of Attendance sent by registered mail 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 rent arrears and terminating the tenancy agreement. The applicant provided a copy of the rent statement in evidence which indicated a balance of rent owing in the amount of \$12,847.

A previous order (file #10-9580, filed on June 27, 2007) required the respondents to pay rent arrears of \$9460 in monthly installments of \$100 and to pay the monthly rent on time. Obviously, that order has been breached.

I find the statement of the rent account in order and find the respondents in breach of their obligation to pay rent and in breach of the previous order. I find the current rent arrears to be \$12,847. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are promptly paid. The applicant suggested that February 28, 2008 be the date of termination if the rent arrears were not paid in full. In my opinion, this is reasonable.

An order shall issue rescinding the previous order and ordering the respondents to pay the

remaining balance of rent owing in the amount of \$12,847. The tenancy agreement shall be terminated on February 28, 2008 unless that amount is paid in full.

Hal Logsdon
Rental Officer