

IN THE MATTER between **DELINE HOUSING ASSOCIATION**, Applicant, and
PETER MENACHO AND WANDA MINOZA, 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 **DELINE, NT**.

BETWEEN:

DELINE HOUSING ASSOCIATION

Applicant/Landlord

- and -

PETER MENACHO AND WANDA MINOZA

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 twenty thousand nine hundred sixty one dollars (\$20,961.00).

DATED at the City of Yellowknife, in the Northwest Territories this 29th day of May,
2009.

Hal Logsdon
Rental Officer

IN THE MATTER between **DELINE HOUSING ASSOCIATION**, Applicant, and
PETER MENACHO AND WANDA MINOZA, 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.

BETWEEN:

DELINE HOUSING ASSOCIATION

Applicant/Landlord

-and-

PETER MENACHO AND WANDA MINOZA

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: April 28, 2009

Place of the Hearing: Deline, NT via teleconference

Appearances at Hearing: Phebie Kenny, representing the applicant

Date of Decision: May 29, 2009

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 tenancy agreement between the parties was terminated on September 30, 2008. The respondent retained the security deposit and interest applying it against cleaning costs. A statement of the security deposit and deductions was provided in evidence. The applicant alleged that the respondents had not paid the full amount of rent and sought an order requiring the respondents to pay the alleged rent arrears.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$20,961. The full unsubsidized rent had been applied in July, August and September, 2008 because the respondents failed to report any income on which to calculate a subsidized rent. Correspondence from the Customer Service Officer was provided by the applicant in evidence showing that the required information had not been submitted by the respondents.

I find the respondents in breach of their obligation to pay rent and find the application of the full unsubsidized rent to be reasonable. I find the rent arrears to be \$20,961. An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$20,961.

Hal Logsdon
Rental Officer