

IN THE MATTER between **LAC LA MARTRE HOUSING**, Applicant, and
ROXANNE MANTLA, 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 **GAMETI, NT**.

BETWEEN:

LAC LA MARTRE HOUSING

Applicant/Landlord

- and -

ROXANNE MANTLA

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 83(2) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of ten thousand eight hundred thirty two dollars (\$10,832.00). The arrears shall be paid in monthly installments of no less than one hundred dollars (\$100.00) to be paid no later than the last day of every month until the rent arrears are paid in full. The first payment shall be due no later than August 31, 2009.
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 1st day of
September, 2009.

Hal Logsdon
Rental Officer

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R-5 (the "Act");

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BETWEEN:

LAC LA MARTRE HOUSING

Applicant/Landlord

-and-

ROXANNE MANTLA

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 19, 2009

Place of the Hearing: Gameti, NT via teleconference

Appearances at Hearing: Gerry Cheezie, representing the applicant (appearing in
Yellowknife)
Roxanne Mantla, respondent

Date of Decision: September 1, 2009

REASONS FOR DECISION

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 owing in the amount of \$12,798. The full unsubsidized rent had been posted for fifteen months since June, 2008 but eleven credits had also been posted adjusting the rent to the household income. There was no evidence to enable me to determine what months the credits were intended to adjust. Assuming that the credits serve to adjust the eleven oldest rent postings, leaves only May, June, July and August, 2009 unadjusted.

The respondent testified that she had reported all household income information required up to and including May, 2009. She acknowledged that she had not provided any income information since May, 2009. Since the rent is based on the prior month's household income, the application of the full unsubsidized rent is reasonable for July and August, 2009 but not reasonable for May or June, 2009. There was no information available at the hearing to enable me to determine the rents for May or June, 2009.

Ignoring the rents for May and June, 2009 I find the rent arrears to be \$10,832, calculated as follows:

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Balance as per ledger	\$12,798
less May/09 rent	(983)
less June/09 rent	<u>(983)</u>
Total	\$10,832

The parties agreed that the rent arrears could be paid in monthly installments of \$100/month provided the monthly rent was also paid on time.

An order shall issue requiring the respondent to pay the applicant the rent arrears in monthly installments of \$100 on the last day of every month until the rent arrears are paid in full and to pay the monthly assessed rent on time. The first payment shall be due on August 31, 2009.

Should the respondent fail to make payments in accordance with this order or fail to pay the monthly rent on time, the applicant may file another application seeking the full payment of any balance owing and termination of the tenancy agreement.

The decision to order monthly payments of the rent arrears with the first payment due on August 31, 2009 was made known to the respondent at the conclusion of the hearing although the determination of the actual amount of rent arrears was reserved until the written order was filed.

Hal Logsdon
Rental Officer