

IN THE MATTER between **FORT MCPHERSON HOUSING ASSOCIATION**,
Applicant, and **KRISTOPHER ROBERT**, 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 **FORT MCPHERSON, NT**.

BETWEEN:

FORT MCPHERSON HOUSING ASSOCIATION

Applicant/Landlord

- and -

KRISTOPHER ROBERT

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 two thousand four hundred forty eight dollars (\$2448.00).
2. Pursuant to section 41(4)(c) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 0151 Harriet Stewart Avenue, Fort McPherson, NT shall be terminated on November 10, 2009 and the respondent shall vacate the premises on that date.

DATED at the City of Yellowknife, in the Northwest Territories this 27th day of October,
2009.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT MCPHERSON HOUSING ASSOCIATION**,
Applicant, and **KRISTOPHER ROBERT**, 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:

FORT MCPHERSON HOUSING ASSOCIATION

Applicant/Landlord

-and-

KRISTOPHER ROBERT

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **October 27, 2009**

Place of the Hearing: **Fort McPherson, NT via teleconference**

Appearances at Hearing: **Shirley Wilson, representing the applicant**
Betty Firth, representing the applicant

Date of Decision: **October 27, 2009**

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in his absence.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement between the parties. 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 \$2948. The applicant stated that the respondent's mother had made a payment of \$500 to the NWT Housing Corporation in Inuvik which had not yet been received or posted to the ledger. The applicant provided a copy of the receipt in evidence. The applicant stated that applying the credit to the account would result in a balance of rent owing of \$2448.

The applicant served a notice of early termination on the respondent for non-payment of rent on July 23, 2009 seeking vacant possession on August 14, 2009. The respondent remains in possession. A previous notice had been served on the respondent demanding payment of the rent arrears.

The applicant stated that all of the assessed rent was based on the respondent's household income.

The applicant stated that it has been very difficult to collect rent from the tenant or get him to comply with his obligation to report the household income. The applicant stated that they did not wish to continue the tenancy agreement even if the rent was paid.

I find the ledger in order and applying the recent payment made on behalf of the respondent find rent arrears in the amount of \$2448. In my opinion there are sufficient grounds to terminate the tenancy agreement. The arrears represent over three months of unpaid rent. The tenant has had sufficient notice of his failure to pay the rent.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$2448 and terminating the tenancy agreement on November 10, 2009.

Hal Logsdon
Rental Officer