

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **JOANNE TSETTA**, 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 **NDILO, NT**.

BETWEEN:

**YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**

Applicant/Landlord

- and -

**JOANNE TSETTA**

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 eight thousand eight hundred two dollars and thirty nine cents (\$8802.39).

DATED at the City of Yellowknife, in the Northwest Territories this 19th day of November, 2009.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **JOANNE TSETTA**, 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:

**YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**

Applicant/Landlord

-and-

**JOANNE TSETTA**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** November 18, 2009

**Place of the Hearing:** Yellowknife, NT

**Appearances at Hearing:** Rose Black, representing the applicant

**Date of Decision:** November 19, 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 her absence.

The tenancy agreement between the parties was terminated on or about September 30, 2009 when the applicant considered the premises abandoned. The applicant retained the security deposit (\$300) and accrued interest (\$4.27) applying it against rent arrears of \$9106.66. The applicant stated that there were no damages to the premises. It does not appear that a statement of the security deposit was issued by the applicant in accordance with section 18 of the *Residential Tenancies Act*.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$9106.66. The full unsubsidized rent has been applied in July, August and September, 2009. The applicant provided a letter from the subsidy agent stating that the respondent had not provided any income information to enable a subsidized rent to be calculated for those months.

I find the application of the full unsubsidized rent to be reasonable. Applying the security deposit and accrued interest to the rent arrears I find an amount owing to the applicant of \$8802.39 calculated as follows:

Rent arrears	\$9106.66
Security deposit	(300.00)
Interest	<u>(4.27)</u>
Amount owing applicant	\$8802.39

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$8802.39. The applicant shall complete a statement of the security deposit for the respondent.

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Hal Logsdon  
Rental Officer