

IN THE MATTER between **DELINE HOUSING ASSOCIATION**, Applicant, and
MERINE TAKAZO, Respondent;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
R-5 (the "Act") and amendments thereto;

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 -

MERINE TAKAZO

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 thirteen thousand eight hundred fifty nine dollars (\$13,859.00).
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 Unit 0071, Deline, NT shall be terminated on November 30, 2010 and the respondent shall vacate the premises on that date, unless the rent arrears in the amount of thirteen thousand eight hundred fifty nine dollars (\$13,859.00) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 19th day of October,
2010.

Hal Logsdon
Rental Officer

IN THE MATTER between **DELINE HOUSING ASSOCIATION**, Applicant, and
MERINE TAKAZO, 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:

DELINE HOUSING ASSOCIATION

Applicant/Landlord

-and-

MERINE TAKAZO

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **October 14, 2010**

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

Appearances at Hearing: **Nicole Tutcho, representing the applicant**

Date of Decision: **October 14, 1010**

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail. There is no confirmation that the respondent picked up the notice but she was contacted by telephone on October 13, 2010 and advised of date, location and time of the hearing. The respondent failed to appear at the hearing and the hearing was held in her absence. In my opinion, the respondent had every opportunity to attend the hearing and it is not unreasonable to deem the notice served pursuant to section 71(5) of the *Residential Tenancies Act*.

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 unless the arrears were promptly paid. 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 \$13,859. The applicant stated that all of the rent had been adjusted to the respondent's household income.

I find the ledger in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears to be \$13,859. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are paid in full.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$13,859 and terminating the tenancy agreement on November 30, 2010 unless those arrears are paid in full.

Hal Logsdon
Rental Officer