

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,
and **GLORIA HARDISTY**, 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 **WRIGLEY, NT**.

BETWEEN:

FORT SIMPSON HOUSING AUTHORITY

Applicant/Landlord

- and -

GLORIA HARDISTY

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 84(3) and 41(4)(a) of the *Residential Tenancies Act*, the previous order (file #10-11155, filed on March 2, 2010) is rescinded and the respondent is ordered to pay the applicant rent arrears in the amount of twenty four thousand eight hundred sixty nine dollars and sixty one cents (\$24,869.61).

DATED at the City of Yellowknife, in the Northwest Territories this 11th day of May,
2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,
and **GLORIA HARDISTY**, 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 SIMPSON HOUSING AUTHORITY

Applicant/Landlord

-and-

GLORIA HARDISTY

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: April 21, 2011
Place of the Hearing: Yellowknife, NT via teleconference
Appearances at Hearing: Karen Douglas, representing the applicant
Date of Decision: April 21, 2011

REASONS FOR DECISION

The respondent was sent a Notice of Attendance sent by regular mail as the community does not accept registered mail. The rental officer attempted to contact the respondent by phone prior to the hearing but was told by her employer that she was on vacation and out of town. The respondent did not appear at the hearing. Although I was unable to confirm that the respondent received the Notice of Attendance, the matter is straightforward and in my opinion it was not unreasonable to proceed in her absence and determine the matter.

A previous order (file #10-11155, filed on March 2, 2010) required the respondent to pay rent arrears of \$16,426 in monthly installments of \$500 plus the monthly rent. The applicant stated that the respondent has breached that order and has vacated the premises. The applicant retained the security deposit and interest applying it against rent arrears resulting in a balance owing of \$24,869.61. A statement was provided by the applicant showing that balance. The applicant requested that the previous order be rescinded and an order issued requiring the respondent to pay the full balance in lump sum.

The statement also indicates that the full unsubsidized rent was applied in the months of September, October, November and December, 2010 and in January and February, 2011. The applicant stated that the respondent had failed to provide any income information on which to calculate a subsidized rent for those months.

I find the statement in order and find the respondent in breach of the previous order and in breach of her obligation to pay rent. I find the application of the full unsubsidized rent to be reasonable. I find the rent arrears to be \$24,869.61.

An order shall issue rescinding the previous order and ordering the respondent to pay the applicant rent arrears in the amount of \$24,869.61.

Hal Logsdon
Rental Officer