

IN THE MATTER between **Fort Simpson Housing Authority**, Applicant, and **Andrea Grossetete**, 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, **Adelle Guigon**, Deputy Rental Officer, regarding a rental premises located within the **Village of Fort Simpson in the Northwest Territories**.

BETWEEN:

FORT SIMPSON HOUSING AUTHORITY

Applicant/Landlord

- and -

ANDREA GROSSETETE

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 to the Applicant rental arrears in the amount of \$5,477.00 (five thousand four hundred seventy-seven dollars) to be paid in monthly installments of \$150 (one hundred fifty dollars) commencing October 1, 2013.
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the Respondent shall pay her rent on time in the future.

DATED at the City of Yellowknife in the Northwest Territories this 23rd day of September 2014.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Fort Simpson Housing Authority**, Applicant, and **Andrea Grossetete**, 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 **Adelle Guigon**, Deputy Rental Officer,

BETWEEN:

FORT SIMPSON HOUSING AUTHORITY

Applicant/Landlord

-and-

ANDREA GROSSETETE

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REASONS FOR DECISION

Date of the Hearing: September 13, 2013

Place of the Hearing: Fort Simpson, Northwest Territories, via Teleconference

Appearances at Hearing: Kathy Konisenta, representing the Applicant
Andrea Grossetete, Respondent
Ruben Unka, witness for the Respondent

Date of Decision: September 13, 2013

REASONS FOR DECISION

Application

The Application to a Rental Officer made by Fort Simpson Housing Authority as the Applicant/Landlord against Andrea Grossetete and Ruben Unka as the Respondents/Tenants regarding the rental premises known as Unit 14, 10110A - 94 Avenue, in Fort Simpson, Northwest Territories, was received and filed by the Rental Office on July 19, 2013. The Applicant served a copy of the filed application package on the Respondents by registered mail signed for July 29, 2013.

The Applicant sought an order for payment of rental arrears. Evidence submitted in support of their application is listed in Appendix A attached to this order.

Hearing

A hearing was scheduled for September 13, 2013. All parties were served notices of attendance by registered mail. All parties appeared at hearing.

Submissions

The Applicant reiterated their request for an order requiring the Respondent to pay rental arrears in the amount of \$5,477 and requested that future rent be paid on time. The Applicant further submitted that a payment plan had been agreed to by the parties of \$150 plus the assessed rent to be paid per month. The Respondent confirmed this agreement and did not dispute the rental arrears alleged.

Determinations

The tenancy agreement dated April 1, 2012, is made between the Applicant and Andrea Charlene Grossetete for subsidized public housing for a fixed term of April 1, 2012, to June 30, 2013. Ruben Unka is listed as an occupant. I am satisfied a tenancy agreement exists between the Applicant and Ms. Grossetete. The style of cause will reflect Ms. Grossetete only as the current sole tenant of the rental premises.

The tenancy agreement dated October 24, 2008, establishes the original commencement of the tenancy on that date, reflecting continuous occupancy of the rental premises. Continuous occupancy is corroborated by the customer aged detail, which is the landlord's accounting of rent assessed and paid throughout the tenancy. The Respondent did not dispute the amount of rental arrears alleged. I am satisfied that the customer aged detail accurately reflects payments made by the Respondent throughout the tenancy.

I find the Respondent has rental arrears in the amount of \$5,477. I am satisfied the payment plan agreed to is not unreasonable.

Order

An order will issue requiring the Respondent to pay to the Applicant rental arrears in the amount of \$5,477 in monthly installments of \$150 and for the Respondent to pay her future rent on time.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Residential Tenancy Agreement dated April 1, 2012

Exhibit 2: Customer Aged Detail for October 14, 2008, to May 1, 2013

Exhibit 3: Residential Tenancy Agreement dated October 24, 2008

Exhibit 4: Customer Aged Detail for October 14, 2008, to July 1, 2013