

IN THE MATTER between **Fort Simpson Housing Authority**, Applicant, and **Jasmine 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, **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 -

JASMINE HARDISTY

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 \$16,371.21 (sixteen thousand three hundred seventy-one dollars twenty-one cents) in minimum monthly installments of \$100 (one hundred dollars).
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 **Jasmine 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 **Adelle Guigon**, Deputy Rental Officer,

BETWEEN:

FORT SIMPSON HOUSING AUTHORITY

Applicant/Landlord

-and-

JASMINE HARDISTY

Respondent/Tenant

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

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/Respondent against Jasmine Hardisty as the Respondent/Tenant regarding the rental premises known as Unit #33, 10002B - 95 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 on the Respondent by registered mail signed for July 29, 2013.

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

Hearing

The hearing was scheduled for September 13, 2013, for which both parties were served notices of attendance by registered mail sent August 22, 2013. The Applicant was represented at hearing by Ms. Kathy Konisenta. The Respondent was deemed served the notice on August 29, 2013, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). The Respondent failed to appear at hearing. The hearing proceeded in her absence pursuant to section 80(2) of the Act.

Submissions

At hearing, Ms. Konisenta reiterated the Applicant's request for an order for payment of rental arrears and for future rent to be paid on time. She submitted that the rental arrears outstanding equalled \$16,371.21. Ms. Konisenta further submitted that there had been a previous agreement between the parties for a payment plan where the Respondent agreed to pay \$100 per month in addition to her assessed rent. Ms. Konisenta indicated the Applicant would be satisfied with an order for payment of the rental arrears in monthly installments and payment of future rent on time.

Determinations

The Residential Tenancy Agreements reflect a tenancy which commenced April 1, 2010, and continues to date. I am satisfied a valid tenancy agreement exists.

The Customer Aged Detail is the landlord's accounting of assessed rent and payments made by the tenant between March 23, 2010, and August 15, 2013. I am satisfied the Customer Aged Detail is an accurate reflection of payments made by the Respondent to date.

I find the Respondent currently has rental arrears in the amount of \$16,371.21. I do not find it unreasonable to require the Respondent to repay the rental arrears in minimum monthly installments of \$100.

Order

An order will issue requiring the Respondent to pay to the Applicant rental arrears in the amount of \$16,371.21 in minimum monthly installments of \$100 to commence October 1, 2013, and 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 from March 23, 2010, to June 24, 2013

Exhibit 3: Residential Tenancy Agreement dated April 1, 2010

Exhibit 4: Customer Aged Detail from March 23, 2010, to August 15, 2013

Exhibit 5: Assessment to Pay Rental Arrears