

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

ROBERT GROSSETETE

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the Respondent shall pay to the Applicant rental arrears in the amount of \$10,039.00 (ten thousand thirty-nine dollars).

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 **Robert 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:

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-and-

ROBERT GROSSETETE

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/Landlord against Robert Grossetete as the Respondent/Tenant regarding the rental premises known as Unit 19, 10305B Antoine Drive, in Fort Simpson, Northwest Territories, was received and filed by the Rental Office on July 30, 2013. The Applicant served a copy of the filed application package on the Respondent by registered mail signed for August 30, 2013.

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

Hearing

A hearing was scheduled for September 13, 2013, for which the parties were served notices of attendance by registered mail. The Applicant appeared at hearing. The Respondent signed for their notice on August 30, 2013, but failed to appear at hearing. The hearing proceeded in the Respondent's absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Submissions

The Applicant's representative, Ms. Kathy Konisenta, submitted that the Applicant sought an order for rental arrears in the amount of \$10,039. She stated the Respondent had vacated the rental premises by the end of June 2013. The rental arrears requested reflects the deduction of the Respondent's security deposit of \$500.

Determinations

The Residential Tenancy Agreements submitted into evidence by the Applicant was for subsidized public housing and reflect a tenancy between the parties which commenced April 1, 2004. I am satisfied a valid tenancy agreement was in place until June 30, 2013, when the Respondent vacated the premises.

The Customer Aged Detail is the Applicant's accounting of assessed rent and payments made between April 2, 2000, to July 10, 2013. Rental arrears did not begin accumulating, according to this ledger, until October 2010. I am satisfied the Customer Aged Detail is an accurate representation of the Respondent's rental payments.

Pursuant to section 68(1) of the Act, an Application to a Rental Officer must be made within six months after the breach of an obligation under this Act, the tenancy agreement, or since the situation referred to in the application arose. The tenancy was terminated in accordance with this act when the Respondent vacated the premises in June 2013, at which time the Respondent carried a balance of rent owing. The application seeking payment of rental arrears was filed July 30, 2013. I am satisfied the requirements of section 68(1) of the Act have been met.

I find the Respondent owes \$10,039 in rental arrears to the Applicant.

Order

An order shall issue requiring the Respondent to pay to the Applicant rental arrears in the amount of \$10,039.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Residential Tenancy Agreement dated April 1, 2012

Exhibit 2: Customer Aged Detail from April 2, 2000, to June 10, 2013

Exhibit 3: Residential Tenancy Agreement dated March 31, 2004

Exhibit 4: Customer Aged Detail from April 2, 2000, to August 6, 2013