

IN THE MATTER between **FORT SMITH HOUSING AUTHORITY**, Applicant, and
JUDITH GALE, 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 **FORT SMITH, NT.**

BETWEEN:

FORT SMITH HOUSING AUTHORITY

Applicant/Landlord

- and -

JUDITH GALE

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 42(3)(e) of the *Residential Tenancies Act*, the respondent shall pay the applicant repair costs in the amount of two thousand sixteen dollars and fifty three cents (\$2016.53).

DATED at the City of Yellowknife, in the Northwest Territories this 19th day of
November, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT SMITH HOUSING AUTHORITY**, Applicant, and
JUDITH GALE, 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 SMITH HOUSING AUTHORITY

Applicant/Landlord

-and-

JUDITH GALE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **October 9, 2013**

Place of the Hearing: **Fort Smith, NT**

Appearances at Hearing: **Kevin Mageean, representing the applicant**
 Kim Olsen, representing the applicant

Date of Decision: **October 9, 2013**

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in her absence.

The tenancy agreement between the parties was terminated on August 31, 2012 by the landlord's written notice. An eviction order was issued on February 12, 2013 to be effective forthwith.

After assuming possession of the premises the applicant retained the security deposit and interest (\$253.51) applying it against repair costs (\$2270.04) resulting in a balance owing to the applicant of \$2016.53. The applicant sought an order requiring the respondent to pay the repair costs net of the retained security deposit. The premises are subsidized public housing.

The applicant provided an itemised list of repair costs and photographs of the damages and inspection reports in evidence. The applicant stated that the repairs were made necessary due to the negligence of the respondent or persons she permitted in the premises.

I find the respondent in breach of her obligation to repair the damages and find the repair costs to be reasonable. An order shall issue requiring the respondent to pay the applicant repair costs in the amount of \$2016.53.

Hal Logsdon
Rental Officer