

IN THE MATTER between **Fort Simpson Housing Authority**, Applicant, and **Mike Byland Sr.**, 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 -

MIKE BYLAND SR.

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$3,330.00 (three thousand three hundred thirty dollars).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent must pay his rent on time in the future.

DATED at the City of Yellowknife in the Northwest Territories this 21st day of August 2014.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Fort Simpson Housing Authority**, Applicant, and **Mike Byland Sr.**, 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-

MIKE BYLAND SR.

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: August 19, 2014
Place of the Hearing: Fort Simpson, Northwest Territories, by teleconference
Appearances at Hearing: Kathy Konisenta, representing the applicant
Date of Decision: August 19, 2014

REASONS FOR DECISION

An application to a rental officer made by Fort Simpson Housing Authority as the applicant/landlord against Mike Byland Sr. as the respondent/tenant was filed by the Rental Office June 2, 2014. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premises known as Unit #SC-C-15, 10117 - 96 Avenue, in Fort Simpson, Northwest Territories. The applicant served a copy of the filed application on the respondent by registered mail signed for July 2, 2014.

The applicant alleged the respondent had accumulated rental arrears. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for August 19, 2014. Ms. Kathy Konisenta appeared representing the applicant. Mr. Mike Byland Sr. was served a notice of attendance by registered mail deemed served August 1, 2014, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). The hearing proceeded in Mr. Byland's absence pursuant to section 80(2) of the Act.

Ms. Konisenta testified that Mr. Byland is a tenant in subsidized public housing who has accumulated rental arrears as of August 19, 2014, in the amount of \$3,330. She submitted a statement of account in support of her claim and requested an order for payment of rental arrears and that future rent be paid on time. Ms. Konisenta advised that Mr. Byland did contact her a couple of weeks ago to let her know he wanted to clear up his rental arrears; subsequent to that telephone call, Mr. Byland did make a substantial payment against his account on August 12, 2014.

Tenancy agreement

The residential tenancy agreement entered into evidence by the applicant is signed by the respondent for subsidized public housing for a periodic tenancy starting July 1, 2012. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the Act.

Rental arrears

The client aged detail and statement of account entered into evidence by the applicant represents the landlord's accounting of monthly assessed rent and payments received against the respondent's rent account to August 19, 2014. I am satisfied these documents accurately reflect payments received on the respondent's rent account. I am also satisfied that the rental arrears claimed of \$3,330 represent the assessed rent for the months of April, May, and June. I find the respondent has accumulated rental arrears of \$3,330.

An order will issue for Mr. Mike Byland Sr. to pay rental arrears in the amount of \$3,330 and to pay his rent on time in the future.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Client aged detail as of May 13, 2014

Exhibit 2: Residential tenancy agreement - indeterminate lease dated April 1, 2014

Exhibit 3: Statement of account dated August 19, 2014