

IN THE MATTER between **Digaa Enterprises Ltd.**, Applicant, and **Delmer Bonnetrouge**, 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 **hamlet of Fort Providence in the Northwest Territories**.

BETWEEN:

**DIGAA ENTERPRISES LTD.**

Applicant/Landlord

- and -

**DELMER BONNETROUGE**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents must pay to the applicant rental arrears in the amount of \$5,963.25 (five thousand nine hundred sixty-three dollars twenty-five cents).

DATED at the City of Yellowknife in the Northwest Territories this 6th day of March 2015.

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Adelle Guigon  
Deputy Rental Officer

IN THE MATTER between **Digaa Enterprises Ltd.**, Applicant, and **Delmer Bonnetrouge**, 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:

**DIGAA ENTERPRISES LTD.**

Applicant/Landlord

-and-

**DELMER BONNETROUGE**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>February 26, 2015</b>
<b><u>Place of the Hearing:</u></b>	<b>Yellowknife, Northwest Territories, by teleconference</b>
<b><u>Appearances at Hearing:</u></b>	<b>Loretta Landry, representing the applicant</b>
<b><u>Date of Decision:</u></b>	<b>February 26, 2015</b>

**REASONS FOR DECISION**

An application to a rental officer made by Digaa Enterprises Ltd. as the applicant/landlord against Delmer Bonnetrouge as the respondent/tenant was filed by the Rental Office January 19, 2015. The application was made regarding a residential tenancy agreement for the rental premises known as #1 Sixplex, Lot 285, in Fort Providence, Northwest Territories. The applicant personally served a copy of the filed application on the respondent January 22, 2015.

The applicant alleged the respondent had accumulated rental arrears and sought an order for payment of the rental arrears, termination of the tenancy agreement, and eviction. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for February 26, 2015, by teleconference. Ms. Loretta Landry appeared representing the applicant. Mr. Delmer Bonnetrouge was served notice of the hearing by registered mail signed for February 12, 2015. Mr. Bonnetrouge did not appear at hearing. The hearing proceeded in his absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Ms. Landry testified that Mr. Bonnetrouge had been in a tenancy agreement for the rental premises known as #1 Sixplex, Lot 285, in Fort Providence, Northwest Territories since April 2012. A residential tenancy agreement dated April 1, 2012, was entered into evidence establishing the tenancy as stated. Mr. Bonnetrouge vacated the rental premises on February 5, 2015; as such, Ms. Landry withdrew the request for an order terminating the tenancy agreement and evicting the respondent.

Ms. Landry submitted a statement of account representing the landlord's accounting of monthly rent and payments received against the respondent's rent account. The statement included interest calculated against the unpaid rent, however, Ms. Landry indicated the applicant did not wish to make a claim for the interest. The rental arrears claimed, as evidenced in the statement of account, total \$5,963.25.

I am satisfied that a valid tenancy agreement was in place between the parties in accordance with the Act. I am satisfied the statement of account accurately reflects the status of the respondent's rent account as of the date he vacated the rental premises. I find the respondent has accumulated rental arrears in the amount of \$5,963.25 and an order will issue requiring the respondent to pay the rental arrears.

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Adelle Guigon  
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Residential tenancy agreement dated April 1, 2012

Exhibit 2: Applicant's correspondence to the respondent dated January 12, 2015

Exhibit 3: Applicant's outstanding rental arrears correspondence to the respondent dated November 1, 2014

Exhibit 4: Applicant's invoices to the respondent numbered 26738, 26719, 26694, 26663, 26633, 26607, 26580, 26543, and 26503

Exhibit 5: Statement of account dated January 12, 2015

Exhibit 6: Applicant's invoice to the respondent number 26760

Exhibit 7: Email from Nina Landry to Rowena.Dembowski@atco.com dated February 4, 2015

Exhibit 8: Statement of account dated February 5, 2015