

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant, and  
**Robert Buddy Cazon**, 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**, Rental Officer, regarding a  
rental premises located within the **village of Fort Simpson in the Northwest Territories**.

BETWEEN:

**NORTHWEST TERRITORIES HOUSING CORPORATION**

Applicant/Landlord

- and -

**ROBERT BUDDY CAZON**

Respondent/Tenant

**ORDER and EVICTION ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 84(3) of the *Residential Tenancies Act*, paragraph 1 of Rental Officer Order Number 10-14656 is rescinded, and the respondent must pay to the applicant rental arrears in the amount of \$2,345.82 (two thousand three hundred forty-five dollars eighty-two cents).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent must pay his rent on time in the future.
3. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties will terminate September 30, 2016, and the respondent must vacate the rental premises on or before that date, unless the rental arrears are paid in full and the monthly rents for July, August, and September are paid on time.

4. Pursuant to sections 63(4)(a) and 83(2) of the *Residential Tenancies Act*, if the tenancy agreement between the parties is terminated in accordance with paragraph 3 of this order, the respondent will be evicted from the rental premises known as 9-plex 3, 9820 - 102 Street, in Fort Simpson, Northwest Territories, on October 1, 2016.

DATED at the City of Yellowknife in the Northwest Territories this 7th day of July 2016.

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Adelle Guigon  
Rental Officer

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AND IN THE MATTER of a hearing before **Adelle Guigon**, Deputy Rental Officer,

BETWEEN:

**NORTHWEST TERRITORIES HOUSING CORPORATION**

Applicant/Landlord

-and-

**ROBERT BUDDY CAZON**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** June 13, 2016

**Place of the Hearing:** Fort Simpson, Northwest Territories

**Appearances at Hearing:** Kathy Konisenta, representing the applicant

**Date of Decision:** June 13, 2016

**REASONS FOR DECISION**

An application to a rental officer made by Fort Simpson Housing Authority on behalf of the Northwest Territories Housing Corporation as the applicant/landlord against Robert Buddy Cazon as the respondent/tenant was filed by the Rental Office March 3, 2016. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Fort Simpson, Northwest Territories. The applicant served a copy of the filed application on the respondent by registered mail signed for March 17, 2016.

The applicant alleged the respondent had failed to comply with a rental officer order, had repeatedly failed to pay rent, and had accumulated rental arrears. An order was sought for payment of rental arrears, termination of the tenancy agreement, and eviction.

A hearing was scheduled for June 13, 2016, in Fort Simpson, Northwest Territories. The rental officer appeared by telephone. Ms. Kathy Konisenta appeared representing the applicant. Mr. Robert Buddy Cazon was served notice of the hearing by registered mail deemed served June 2, 2016, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). Mr. Cazon did not appear at hearing, nor did anyone appear on his behalf. The hearing proceeded in his absence pursuant to section 80(2) of the Act.

*Previous orders*

Rental Officer Orders Numbered 10-9834 and 10-10481 dated January 17, 2008, and November 19, 2008, respectively, were both for a different tenancy agreement.

Rental Officer Order Number 10-14656 dated September 21, 2015, was heard August 13, 2015, for the current tenancy agreement and required the respondent to pay rental arrears in the amount of \$2,403.80 in minimum monthly installments of \$200 starting in August 2015.

*Tenancy agreement*

The residential tenancy agreement entered into evidence establishes a tenancy agreement between the parties for subsidized public housing commencing April 1, 2012. I am satisfied a valid tenancy agreement is in place between the parties for subsidized public housing in accordance with the Act.

*Rental arrears*

The lease balance statements entered into evidence represent the landlord's accounting of monthly assessed rents and payments made against the respondent's rent account. All rents have been assessed subsidies. I am satisfied the statements accurately reflect the current status of the respondent's rent account.

The last payment made against the account was recorded on May 11, 2016, in the total amount of \$185 and was made by ECE on behalf of the respondent. The last payment made against the account by the respondent was recorded on April 20, 2016, in the amount of \$345. Only two minimum monthly installment payments have been received: one on August 19, 2015, and the other is part of the April 20, 2016, payment. Neither rent nor minimum monthly installment payments were received in the months of September, October, November, January, or February.

I find the respondent has repeatedly failed to comply with an order of the rental officer to pay minimum monthly installments of \$200 towards rental arrears. I find the respondent has repeatedly failed to pay his rent when due. I find the respondent has accumulated rental arrears in the amount of \$2,345.82.

*Termination of the tenancy agreement and eviction*

In light of the respondent's repeated failure to comply with a rental officer order, repeated failure to pay his rent, and the substantial amount of rental arrears accumulated, I am satisfied termination of the tenancy agreement and eviction are justified. The applicant's representative requested the termination and eviction orders be conditional on the respondent's payment of the rental arrears in full and monthly rents being paid on time, which I agreed to.

*Orders*

An order will issue rescinding paragraph 1 of Rental Officer Order Number 10-14656; requiring the respondent to pay rental arrears in the amount of \$2,345.82; requiring the respondent to pay his future rent on time; terminating his tenancy agreement on September 30, 2016, unless the rental arrears are paid in full and the monthly rents for July, August, and September are paid on time; and evicting the respondent from the rental premises October 1, 2016, if the termination of the tenancy agreement becomes effective.

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Adelle Guigon  
Rental Officer