

IN THE MATTER between **DELINE HOUSING ASSOCIATION**, Applicant, and
FREDERICK KENNY AND CHRISTINE KENNY, Respondents;

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,
regarding the rental premises at **DELINE, NT**.

BETWEEN:

DELINE HOUSING ASSOCIATION

Applicant/Landlord

- and -

FREDERICK KENNY AND CHRISTINE KENNY

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of twenty nine thousand six hundred sixty nine dollars and twenty four cents (\$29,669.24).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 16th day of
November, 2006.

Hal Logsdon
Rental Officer

IN THE MATTER between **DELINE HOUSING ASSOCIATION**, Applicant, and
FREDERICK KENNY AND CHRISTINE KENNY, Respondents.

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:

DELINE HOUSING ASSOCIATION

Applicant/Landlord

-and-

FREDERICK KENNY AND CHRISTINE KENNY

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	November 15, 2006
<u>Place of the Hearing:</u>	Deline, NT via teleconference
<u>Appearances at Hearing:</u>	Phoebe Kenny, representing the applicant Frederick Kenny, respondent Christine Kenny, respondent
<u>Date of Decision:</u>	November 16, 2006

REASONS FOR DECISION

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondents to pay the alleged rent arrears and to pay future rent on time.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$37,565.87.

The respondents did not dispute the allegations.

Some of the entries on the tenant ledger predate the *Residential Tenancies Act* (February, 1988).

As the rental officer's authority comes from the Act, I have no jurisdiction to determine any rent prior to that date. Therefore I must adjust the rent arrears to reflect only rent that has come due after February, 1988. I find rent arrears in the amount of \$29,669.24 calculated as follows:

Balance as per ledger	\$37,565.87
Less amounts prior to Feb/88	<u>(7896.63)</u>
Rent arrears	\$29,669.24

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$29,669.24 and to pay future rent on time.

Hal Logsdon
Rental Officer