

IN THE MATTER between **FORT PROVIDENCE HOUSING ASSOCIATION**,
Applicant, and **MARK SABOURIN**, 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,
regarding the rental premises at **FORT PROVIDENCE, NT**.

BETWEEN:

FORT PROVIDENCE HOUSING ASSOCIATION

Applicant/Landlord

- and -

MARK SABOURIN

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of three thousand three hundred twenty three dollars and forty two cents (\$3323.42).

DATED at the City of Yellowknife, in the Northwest Territories this 8th day of May,
2008.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT PROVIDENCE HOUSING ASSOCIATION**,
Applicant, and **MARK SABOURIN**, Respondent.

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R-5 (the "Act");

AND IN THE MATTER of a Hearing before **Hal Logsdon**, Rental Officer.

BETWEEN:

FORT PROVIDENCE HOUSING ASSOCIATION

Applicant/Landlord

-and-

MARK SABOURIN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 7, 2008

Place of the Hearing: Fort Providence, NT via teleconference

Appearances at Hearing: David Alderdice, representing the applicant
Irene Lafferty, witness for the applicant

Date of Decision: May 8, 2008

REASONS FOR DECISION

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

The tenancy agreement between the parties was terminated on March 20, 2008 when the respondent vacated the premises. The applicant alleged that the respondent failed to pay the full amount of rent and sought an order requiring the respondent to pay the alleged rent arrears.

The applicant provided a copy of the tenant ledger which indicated a balance of rent owing in the amount of \$16,525.57. A previous order (file #10-9896, filed on January 14, 2008) required the respondent to pay rent arrears in the amount of \$12,785.57. The ledger indicates that no payments have been made since that date but the rent for January, 2008 (\$1414), February, 2008 (\$1414) and a prorated rent for March, 2008 (\$912) have come due.

The full unsubsidized rent has been charged in January, February and March, 2008. The applicant's witness, a Client Services Officer, testified that the respondent had failed to provide any income information on which to calculate a subsidized rent for those months.

A security deposit of \$350 and accrued interest of \$66.58 was retained by the applicant which does not appear on the ledger.

Taking into account the retained security deposit and the previous unsatisfied order I find the respondent in breach of his obligation to pay rent and find additional rent arrears in the amount of \$3323.42, calculated as follows:

Balance as per ledger	\$16,525.57
less previous order	(12,785.57)
less security deposit	(350.00)
less interest on deposit	<u>(66.58)</u>
Amount of current order	\$3323.42

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$3323.42.

Hal Logsdon
Rental Officer
