

IN THE MATTER between **RAE-EDZO HOUSING AUTHORITY**, Applicant, and
ROSA WHANE, 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 **YELLOWKNIFE, NT.**

BETWEEN:

RAE-EDZO HOUSING AUTHORITY

Applicant/Landlord

- and -

ROSA WHANE

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 nineteen thousand eight hundred fifteen dollars (\$19,815.00).

DATED at the City of Yellowknife, in the Northwest Territories this 18th day of July,
2008.

Hal Logsdon
Rental Officer

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ROSA WHANE, 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.

BETWEEN:

RAE-EDZO HOUSING AUTHORITY

Applicant/Landlord

-and-

ROSA WHANE

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **July 10, 2008**

Place of the Hearing: **Behchoko, NT**

Appearances at Hearing: **John St. Louis, representing the applicant**

Date of Decision: **July 18, 2008**

REASONS FOR DECISION

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

The tenancy agreement between the parties was terminated in November 2007. The applicant alleged that the respondent had failed to pay the full amount of rent during the tenancy agreement and sought an order requiring the respondent to pay the alleged rent arrears. The applicant testified that the amount of rent owing was \$30,252.56 and provided a calculation showing how this amount was determined. A copy of the tenant ledger was also produced in evidence although it did not contain the housing subsidy adjustments from May, 2006 to present.

The ledger indicates that this tenancy agreement commenced on May 13, 2005 although the commencement date on the tenancy agreement is June 1, 2005. Apparently the respondent was a joint tenant with Steve Villebrun prior to that and after that tenancy agreement was terminated on or about August, 2001, half of the arrears (\$10,974.56) were transferred to the respondent's rent account. The respondent paid the May, 2005 rent and \$122 of the arrears from the prior tenancy agreement, leaving a balance owing in the amount of \$10,702.56. The prior tenancy agreement was entirely separate from the one which commenced in 2005 and since more than six months have expired since the termination of that agreement, I shall not consider the arrears from that tenancy.

The calculation provided by the applicant applies rent subsidies of \$5141 against the amount shown on the ledger (\$35,373.56) to arrive at a balance owing of \$30,232.56. The ledger indicates that the April, 2006 subsidy of \$285 has already been applied leaving un-applied rent subsidies of \$4856. Therefore I find the balance owing to the applicant to be \$19,815, calculated as follows:

Balance as per ledger	\$35,373.56
Less un-applied subsidies	(4856.00)
Less arrears from previous tenancy	<u>(10,702.56)</u>
Amount owing applicant	\$19,815.00

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$19,815.

Hal Logsdon
Rental Officer
