

IN THE MATTER between **RAE-EDZO HOUSING AUTHORITY**, Applicant, and
ELSIE MANTLA, 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 **BEHCHOKO, NT**.

BETWEEN:

RAE-EDZO HOUSING AUTHORITY

Applicant/Landlord

- and -

ELSIE MANTLA

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 five thousand seven hundred ninety dollars (\$5790.00).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as Unit 613A, Behchoko, NT, shall be terminated on August 31, 2009 and the respondent shall vacate the premises on that date unless the rent arrears in the amount of five thousand seven hundred ninety dollars (\$5790.00) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 14th day of August,
2009.

Hal Logsdon
Rental Officer

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BETWEEN:

RAE-EDZO HOUSING AUTHORITY

Applicant/Landlord

-and-

ELSIE MANTLA

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: **July 31, 2009**

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

Appearances at Hearing: **Robert Richardson, representing the applicant**
 Rose Dryneck, representing the applicant
 Berna Wellin, witness for the applicant

Date of Decision: **August 14, 2009**

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 applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing in the amount of \$5790. The applicant's witness, the subsidy agent, testified that all of the assessed rent was calculated based on the household income.

The respondent served a notice on the landlord dated July 7, 2009 stating that she intended to vacate the premises at the end of July, 2009. The notice does not conform with the provisions of the *Residential Tenancies Act* and is therefore of no effect.

I find the ledger in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears to be \$5790. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are promptly paid.

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of

\$5790 and terminating the tenancy agreement on August 31, 2009 unless those rental arrears are paid in full.

Hal Logsdon
Rental Officer