

IN THE MATTER between **DELINE HOUSING ASSOCIATION**, Applicant, and  
**ANTHONY BETSIDEA**, 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 **DELINE, NT**.

BETWEEN:

**DELINE HOUSING ASSOCIATION**

Applicant/Landlord

- and -

**ANTHONY BETSIDEA**

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 six thousand three hundred sixty nine dollars and five cents (\$6369.05).

DATED at the City of Yellowknife, in the Northwest Territories this 11th day of January,  
2010.

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Hal Logsdon  
Rental Officer

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BETWEEN:

**DELINE HOUSING ASSOCIATION**

Applicant/Landlord

-and-

**ANTHONY BETSIDEA**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** January 5, 2010

**Place of the Hearing:** Deline, NT via teleconference

**Appearances at Hearing:** Phebie Kenny, representing the applicant

**Date of Decision:** January 5, 2010

### **REASONS FOR DECISION**

The respondent was served with a Notice of Attendance sent by registered mail. The respondent did not pick up the notice until January 6, 2010 although a notice card was left in his mailbox advising him of the registered mail on December 21, 2009. The item was mailed on December 16, 2009. In my opinion, it is not unreasonable to deem the notice served pursuant to section 71(2) of the *Residential Tenancies Act*. The hearing was held in the absence of the respondent.

The tenancy agreement between the parties was terminated on November 30, 2009 when the respondent abandoned the premises. The applicant provided a copy of the tenant ledger in evidence which indicated a balance of rent owing as at October 5, 2009 in the amount of \$7245. The applicant testified that since that date, the November rent of \$32 had come due and one payment of \$32 had been received resulting in a balance of rent owing in the amount of \$7245.

The applicant retained the security deposit and accrued interest (\$875.95), applying it against rent arrears (\$7245) resulting in a balance owing the applicant of \$6369.05. The applicant sought an order requiring the respondent to pay that amount. The premises are subsidized public housing. The applicant stated that all of the assessed rent was based on the respondent's household income.

I find the statement in order and find the respondent in breach of his obligation to pay rent. I find the rent arrears to be \$6369.05. A order shall issue requiring the respondent to pay the applicant

rent arrears in the amount of \$6369.05.

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Hal Logsdon  
Rental Officer