

IN THE MATTER between **DELINE HOUSING ASSOCIATION**, Applicant, and  
**ESTER SEWI AND ALFRED BETSIDEA**, Respondents;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter  
R-5 (the "Act") and amendments thereto;

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 -

**ESTER SEWI AND ALFRED BETSIDEA**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to sections 84(3) and 41(4)(a) of the *Residential Tenancies Act*, the previous order (file #20-11089, filed on December 2, 2009) is rescinded and the respondents are ordered to pay the applicant rent arrears in the amount of thirty eight thousand one hundred seventy four dollars and fifty three cents (\$38,174.53).
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 0096, Deline, NT shall be terminated on November 30, 2010 and the respondents shall vacate the premises on that

date, unless the rent arrears in the amount of thirty eight thousand one hundred seventy four dollars and fifty three cents (\$38,174.53) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 20th day of October, 2010.

---

Hal Logsdon  
Rental Officer

IN THE MATTER between **DELINE HOUSING ASSOCIATION**, Applicant, and  
**ESTER SEWI AND ALFRED BETSIDEA**, 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-

**ESTER SEWI AND ALFRED BETSIDEA**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:**                      **October 14, 2010**

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

**Appearances at Hearing:**                      **Leslie Baton, representing the applicant**

**Date of Decision:**                      **October 14, 2010**

### **REASONS FOR DECISION**

The respondents were served with Notices of Attendance sent by registered mail and confirmed delivered. The respondents failed to appear at the hearing and the hearing was held in their absence.

The applicant alleged that the respondents had breached the tenancy agreement by failing to pay rent and had breached a previous order requiring the payment of rent arrears in monthly installments and the payment of the monthly rent on time. The applicant sought an order rescinding the previous order and requiring the respondents to pay the balance of the rent arrears and terminating the tenancy agreement unless the arrears were promptly paid. The premises are subsidized public housing.

A previous order (File #20-11089, filed on December 2, 2009) required the respondents to pay rent arrears of \$27,479.53 in monthly installments of \$50 and to pay the monthly rent on time. A copy of the tenant rent ledger was provided by the applicant in evidence which indicated a balance of rent owing in the amount of \$38,174.53.

The full unsubsidized rent has been applied in July, August and September, 2010. The applicant stated that the respondents had failed to provide any income information on which to calculate a subsidized rent for those months.

I find the respondents in breach of their obligation to pay rent and in breach of the previous order.

I find the application of the full unsubsidized rent to be reasonable and find rent arrears of \$38,174.53. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears are promptly paid.

An order shall issue rescinding the previous order and ordering the respondents to pay the rent arrears of \$38,174.53 and terminating the tenancy agreement on November 30, 2010 unless those arrears are paid in full.

---

Hal Logsdon  
Rental Officer