

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,  
and **CLIFFORD ANTOINE**, Respondent;

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 **FORT SIMPSON, NT.**

BETWEEN:

**FORT SIMPSON HOUSING AUTHORITY**

Applicant/Landlord

- and -

**CLIFFORD ANTOINE**

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 one hundred sixty eight dollars (\$6168.00).

DATED at the City of Yellowknife, in the Northwest Territories this 2nd day of  
November, 2010.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,  
and **CLIFFORD ANTOINE**, 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:

**FORT SIMPSON HOUSING AUTHORITY**

Applicant/Landlord

-and-

**CLIFFORD ANTOINE**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:**                      **October 26, 2010**

**Place of the Hearing:**                      **Fort Simpson, NT via teleconference**

**Appearances at Hearing:**                      **Karen Douglas, representing the applicant**

**Date of Decision:**                      **October 26, 2010**

### **REASONS FOR DECISION**

The respondent was served with a Notice of Attendance sent by registered mail and confirmed delivered. The respondent contacted the Rental Officer prior to the hearing and stated that he would not be able to attend the hearing as he was leaving for school. The respondent stated that he did not dispute the allegations but asked that the hearing be postponed until after he returned. The respondent has vacated the premises. The tenancy has been terminated. The only issue is the quantum of rent owing. I see no reason to postpone the hearing if the respondent does not dispute the amount of rent alleged owing. The respondent did not appear at the hearing and the hearing was held in his absence.

The tenancy agreement was terminated on October 8, 2010 when the respondent vacated the premises. The applicant retained the security deposit and interest (\$548.37) applying it against rent arrears (\$12,960.15) resulting in a balance of rent owing in the amount of \$12,411.78. The applicant sought an order for that amount. A statement of the rent account was provided in evidence.

The full unsubsidized rent has been applied in May, June, July, August and September, 2010. The applicant stated that no income information was filed to enable the calculation of the July, August and September, 2010 rents. The applicant stated that the remainder of the rent had been assessed on the respondent's household income.

A previous order (file #10-11513, filed on June 11, 2010) ordered the respondent to pay rent arrears of \$7242.15. This order has not been fully satisfied. Applying the payments made since the issuance of that order and the security deposit and interest, I find the unsatisfied balance to be \$6243.78 calculated as follows:

Previous order	\$7242.15
less payments made	(450.00)
less security deposit/interest	<u>(548.37)</u>
Unsatisfied balance	\$6243.78

I find the statement in order and find the respondent in breach of his obligation to pay rent. I find the application of the full unsubsidized rent to be reasonable. I find the rent arrears to be \$12,411.78.

Taking into consideration the unsatisfied balance of the previous order, an order shall issue for the balance of the rent arrears of \$6168, calculated as follows:

Rent arrears	\$12,411.78
less unsatisfied balance of previous order	<u>(6243.78)</u>
Order	\$6168.00

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Hal Logsdon  
Rental Officer