

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **DEBRA FRANKI**, 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 **NDILO, NT**.

BETWEEN:

YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION

Applicant/Landlord

- and -

DEBRA FRANKI

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 one thousand four hundred sixty three dollars and thirty cents (\$1463.30).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 30th day of November, 2011.

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION**, Applicant, and **DEBRA FRANKI**, 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:

YELLOWKNIVES DENE FIRST NATION HOUSING DIVISION

Applicant/Landlord

-and-

DEBRA FRANKI

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: November 23, 2011

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Rose Black, representing the applicant
Debra Franki, respondent

Date of Decision: November 30, 2011

REASONS FOR DECISION

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

The applicant provided a copy of the tenant rent ledger in evidence which indicated a balance of rent owing as at November 10, 2011 in the amount of \$8035.75. The respondent did not dispute the allegations.

The applicant stated that a new tenancy agreement had been executed with the respondent and Ernie Sangris as joint tenants commencing on October 28, 2011. The applicant has not segregated the accounts on the ledger, treating them as one tenancy. I shall only consider the one tenancy agreement between the applicant and Ms Franki as sole tenant.

A previous order (file 10-12104, filed on May 12, 2011) required the respondent to pay rent arrears of \$7740.45. Since that order was issued, no payments have been made but a subsidy of \$1386 was applied bringing the unsatisfied balance of the order to \$6354.45. That order may still be enforced.

From the last order to the formation of the new joint tenancy agreement rent charges and charges for electricity of \$1463.30 have accumulated and no payments have been made.

Rent June - October/11	\$1184.00
Electricity charges	279.30
Payments	<u>0</u>
Total	\$1463.30

An order shall issue requiring the respondent to pay the applicant rent arrears in the amount of \$1463.30 and to pay future rent on time.

Hal Logsdon
Rental Officer