

IN THE MATTER between **FORT PROVIDENCE HOUSING ASSOCIATION**,  
Applicant, and **JOSEPH BOND AND LILLIAN GARGAN**, 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 **FORT PROVIDENCE, NT**.

BETWEEN:

**FORT PROVIDENCE HOUSING ASSOCIATION**

Applicant/Landlord

- and -

**JOSEPH BOND AND LILLIAN GARGAN**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of one thousand five hundred eighteen dollars and fifty seven cents (\$1518.57).

DATED at the City of Yellowknife, in the Northwest Territories this 27th day of January,  
2012.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **FORT PROVIDENCE HOUSING ASSOCIATION**,  
Applicant, and **JOSEPH BOND AND LILLIAN GARGAN**, 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:

**FORT PROVIDENCE HOUSING ASSOCIATION**

Applicant/Landlord

-and-

**JOSEPH BOND AND LILLIAN GARGAN**

Respondents/Tenants

**REASONS FOR DECISION**

**Date of the Hearing:** January 25, 2012

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

**Appearances at Hearing:** Alphonsine Gargan, representing the applicant

**Date of Decision:** January 27, 2012

### **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 tenancy agreement between the parties was terminated on June 8, 2011 when the respondents vacated the premises. The applicant alleged that the full amount of the rent had not been paid and sought an order requiring the respondents to pay the alleged rent arrears. The premises are subsidized public housing.

The applicant provided a copy of the tenant ledger which indicated a balance of rent owing as at September 30, 2011 of \$2374.28. The applicant stated that since that date the respondents had made two payments totalling \$500, bringing the balance owing to \$1874.28. The applicant also stated that they had retained a security deposit of \$350. There is no evidence that the retained deposit or the accrued interest has been applied to the rent account. There is no evidence that a statement of the security deposit was completed by the applicant in accordance with section 18 of the *Residential Tenancies Act*.

I find the rent arrears to be \$1874.28. I find the interest on the security deposit to be \$5.71.

Applying the security deposit and accrued interest to the rent arrears I find a balance owing to the landlord of \$1518.57 calculated as follows:

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Rent arrears	\$1874.28
Security deposit	(350.00)
Interest	<u>(5.71)</u>
Amount owing applicant	\$1518.57

An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$1518.57.

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Hal Logsdon  
Rental Officer