

IN THE MATTER between **FORT SMITH HOUSING AUTHORITY**, Applicant, and
CHANELLE BENWELL, 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 SMITH, NT.**

BETWEEN:

FORT SMITH HOUSING AUTHORITY

Applicant/Landlord

- and -

CHANELLE BENWELL

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 two thousand forty eight dollars and ninety two cents (\$2048.92).
2. Pursuant to section 42(3)(e) of the *Residential Tenancies Act*, the respondent shall pay the applicant repair costs in the amount of one thousand sixty six dollars and fifty cents (\$1066.50).

DATED at the City of Yellowknife, in the Northwest Territories this 9th day of March,
2012.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT SMITH HOUSING AUTHORITY**, Applicant, and
CHANELLE BENWELL, 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 SMITH HOUSING AUTHORITY

Applicant/Landlord

-and-

CHANELLE BENWELL

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: March 8, 2012

Place of the Hearing: Fort Smith, NT via teleconference

Appearances at Hearing: Kevin Mageean, representing the applicant

Date of Decision: March 8, 2012

REASONS FOR DECISION

The respondent was served with a Notice of Attendance sent by registered mail and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in her absence.

The premises are subsidized public housing. The tenancy agreement between the parties was terminated on August 31, 2011 when the respondent vacated the premises. The applicant retained the security deposit (\$375) and interest (\$0.08) applying it against the repair of doors, screens and the replacement of curtain rods (\$691.90), wall repairs and cleaning (\$374.60) and rent arrears (\$2424) leaving a balance owing to the applicant of \$3115.42. The applicant sought an order in that amount.

The applicant provided a statement of the rent, a security deposit statement, an inspection report, work orders and photographs of the damages in evidence.

The full unsubsidized rent of \$1212 was charged in July and August, 2011. The applicant stated that the respondent had failed to provide any household income to enable them to calculate a subsidized rent.

I find the repair costs reasonable. I find the application of the full unsubsidized rent to be reasonable. Applying the security deposit first to rent arrears, I find a balance of rent owing in the amount of \$2048.92 and a balance of repair costs owing in the amount of \$1066.50.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$2048.92 and repair costs of \$1066.50.

Hal Logsdon
Rental Officer