

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

BETWEEN:

FORT SMITH HOUSING AUTHORITY

Applicant/Landlord

- and -

MYRNA 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 one thousand two hundred ninety nine dollars (\$1299.00).
2. Pursuant to section 42(3)(e) of the *Residential Tenancies Act*, the respondent shall pay the applicant repair costs in the amount of four hundred thirty four dollars and thirty seven cents (\$434.37).

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
MYRNA 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 SMITH HOUSING AUTHORITY

Applicant/Landlord

-and-

MYRNA ANTOINE

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 September 22, 2011 when the respondent vacated the premises. The applicant retained the security deposit (\$250) and interest (\$2.74) applying it against a door repair (\$430.31), wall repairs (\$256.80) and rent arrears (\$1299) leaving a balance owing to the applicant of \$1733.37. 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 was prorated in September, 2011. The applicant stated that the respondent had failed to provide any household income to enable them to calculate a subsidized rent for that month.

I find the repair costs reasonable. I find the application of the full unsubsidized rent to be reasonable. Applying the security deposit first to repair costs, I find a balance of rent owing in the amount of \$1299 and a balance of repair costs owing in the amount of \$434.37.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$1299 and repair costs of \$434.37.

Hal Logsdon
Rental Officer