

IN THE MATTER between **NORMAN WELLS HOUSING AUTHORITY**, Applicant,  
and **DELANIE MCDONALD**, 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 **YELLOWKNIFE, NT**.

BETWEEN:

**NORMAN WELLS HOUSING AUTHORITY**

Applicant/Landlord

- and -

**DELANIE MCDONALD**

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 nine thousand seven hundred eleven dollars and seventy nine cents (\$9711.79).
2. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties for the premises known as 6B Snowy Owl Avenue, Norman Wells, NT shall be terminated on April 1, 2012 and the respondent shall vacate the premises on that date, unless the rent arrears and the remainder of the required security deposit in the total amount of nine thousand seven hundred seventy one dollars and seventy nine cents (\$9771.79) are paid in full.

DATED at the City of Yellowknife, in the Northwest Territories this 6th day of March,  
2012.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **NORMAN WELLS HOUSING AUTHORITY**, Applicant,  
and **DELANIE MCDONALD**, 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:

**NORMAN WELLS HOUSING AUTHORITY**

Applicant/Landlord

-and-

**DELANIE MCDONALD**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:** March 6, 2012

**Place of the Hearing:** Yellowknife, NT via teleconference

**Appearances at Hearing:** Chris Greek, representing the applicant  
Shelly Empey, representing the applicant

**Date of Decision:** March 6, 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 applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and by failing to pay the full amount of the required security deposit. The applicant sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement and evicting the respondent unless the rent arrears and security deposit are paid in full. The premises are subsidized public housing.

The applicant provided a statement of account in evidence which indicated a balance of \$7181.05 as at January 5, 2012. The applicant stated that since that date a credit of \$63.26 had been applied to the account, the February, 2012 rent of \$1297 had come due and the March, 2012 rent had come due, bringing the balance owing to \$9711.79.

The rents for May, June, September and November, 2010 September, 2011 and January and February, 2012 were assessed at the full unsubsidized amount. The applicant stated that respondent failed to provide any income information to enable a subsidized rent to be calculated for these months.

The applicant testified that the respondent had paid only \$440 of the required \$500 security

deposit, leaving a balance owing of \$60.

I find the respondent in breach of her obligation to pay rent and her obligation to pay the full amount of the required security deposit. I find the application of the full unsubsidized rent to be reasonable. I find rent arrears of \$9711.79 and an outstanding balance of the security deposit of \$60. In my opinion, there are sufficient grounds to terminate the tenancy agreement unless the rent arrears and the balance of the security deposit are paid.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$9711.79 and terminating the tenancy agreement on April 1, 2012 unless the rent arrears and security deposit totalling \$9771.79 are paid in full.

Rent arrears	\$9711.79
Security deposit	<u>60.00</u>
Total	\$9771.79

An eviction order to be effective on April 2, 2012 unless this order is satisfied shall be issued separately.

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Hal Logsdon  
Rental Officer