

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **KIMBERLY ROZSA**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

- and -

KIMBERLY ROZSA

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 45(4)(a) and 45(4)(b) of the *Residential Tenancies Act*, the respondent shall comply with her obligation to pay for electricity and shall not breach that obligation again.
2. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of one hundred twenty five dollars and twenty cents (\$125.20) on or before May 18, 2012.

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

Hal Logsdon
Rental Officer

IN THE MATTER between **YELLOWKNIFE HOUSING AUTHORITY**, Applicant,
and **KIMBERLY ROZSA**, 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:

YELLOWKNIFE HOUSING AUTHORITY

Applicant/Landlord

-and-

KIMBERLY ROZSA

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: May 3, 2012

Place of the Hearing: Yellowknife, NT

Appearances at Hearing: Ella Newhook, representing the applicant

Date of Decision: May 3, 2012

REASONS FOR DECISION

The respondent was sent a Notice of Attendance by registered mail which was 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 for electricity. The applicant sought an order requiring the respondent to pay the alleged rent arrears and terminating the tenancy agreement and evicting the respondent. The premises are subsidized public housing.

The applicant testified that the electrical service to the premises was disconnected on February 27, 2012 for non-payment and was not reconnected until March 5, 2012. During that period the smoke detectors in the apartment were disabled, creating a risk for the tenant, the other tenants in the building and the property. The building contains 60 suites.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing of \$125.20. The statement in indicates that the rent has been assessed at \$32/month.

I find the respondent in breach of her obligation to pay rent and her obligation to pay for electricity. I find the rent arrears to be \$125.20. While I agree with the landlord that the tenant's failure to pay for electricity and the resultant disabling of the smoke detectors posed a serious risk to persons and property, in my opinion, the tenancy should continue provided there are no

future breaches of this obligation and the rent arrears are promptly paid.

An order shall issue requiring the respondent to pay rent arrears in the amount of \$125.20 on or before May 18, 2012, to comply with her obligation to pay for electricity and to not breach that obligation in the future.

Hal Logsdon
Rental Officer