

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,  
and **DWIGHT PAGE**, 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 SIMPSON, NT**.

BETWEEN:

**FORT SIMPSON HOUSING AUTHORITY**

Applicant/Landlord

- and -

**DWIGHT PAGE**

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 three thousand one hundred two dollars (\$3102.00).
2. Pursuant to section 63(4)(b) of the *Residential Tenancies Act*, the respondent shall pay the applicant compensation for use and occupation of the rental premises in the amount of three thousand one hundred two dollars (\$3102.00) and an additional fifty four dollars and forty two cents (\$54.42) for each day in July and August, 2012 that the respondent continues to occupy the premises after July 17, 2012.

DATED at the City of Yellowknife, in the Northwest Territories this 17th day of July,  
2012.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,  
and **DWIGHT PAGE**, 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 SIMPSON HOUSING AUTHORITY**

Applicant/Landlord

-and-

**DWIGHT PAGE**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:**                      **July 17, 2012**

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

**Appearances at Hearing:**                      **Karen Douglas, representing the applicant**

**Date of Decision:**                      **July 17, 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 his absence.

The applicant testified that the respondent had failed to satisfy a previous order (file #10-12556, filed on January 24, 2012) that terminated the tenancy agreement on April 1, 2012 unless rent arrears of \$8155.10 were paid in full. The applicant stated that the respondent remains in possession of the premises. The applicant sought an order for additional rent arrears, compensation for use and occupation of the premises after the termination of the tenancy agreement and eviction. The premises are subsidized public housing.

The applicant provided a statement of account which indicated a balance owing of \$15,984.10. The statement indicates that no rent whatsoever has been paid since the issuance of the previous order. The full unsubsidized rent has been charged in every month since July, 2011. The applicant stated that no household income information has been submitted by the respondent since that date. The unsubsidized monthly rent was increased in July from \$1034 to \$1625. The applicant stated that the required one month notice had been served on the respondent prior to the increase.

I find the application of the full unsubsidized rent to be reasonable. I find the statement in order and find rent arrears in addition to those previously ordered to be \$3102 calculated as follows:

January - March, 2012 @ \$1034/month      \$3102

Since April 1, 2012 the respondent has been overholding. I find reasonable compensation for use and occupation of the rental premises from that date to be \$3993.12 plus \$54.42/day for each day after July 17, 2012 that the respondent remains in possession in July or August, 2012. I calculate those amounts as follows:

April - June @ \$1034/month	\$3102.00
July 1-17 @ \$1625/month	<u>891.12</u>
Total	\$3993.12

Per diem - \$1625/ 31 days = \$52.42/day

An order shall issue requiring the respondent to pay the applicant rent arrears of \$3102 and compensation for use and occupation of \$3393.12 plus \$52.42 for each day the respondent remains in possession of the premises after July 17, 2012.

An eviction order to be effective on July 24, 2012 shall be issued separately.

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Hal Logsdon  
Rental Officer