

IN THE MATTER between **FORT SMITH HOUSING AUTHORITY**, Applicant, and
ANN-MARIE VILLEBRUN, 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 -

ANN-MARIE VILLEBRUN

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 hundred forty one dollars and seventy six cents (\$941.76).
2. Pursuant to section 42(3)(e) of the *Residential Tenancies Act*, the respondent shall pay the applicant repair and cleaning costs in the amount of six thousand sixty two dollars and three cents (\$6062.03).

DATED at the City of Yellowknife, in the Northwest Territories this 27th day of
February, 2013.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT SMITH HOUSING AUTHORITY**, Applicant, and
ANN-MARIE VILLEBRUN, 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-

ANN-MARIE VILLEBRUN

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: February 6, 2013

Place of the Hearing: Fort Smith, NT

Appearances at Hearing: Kevin Mageean, representing the applicant

Date of Decision: February 6, 2013

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 tenancy agreement between the parties was terminated on August 7, 2012. The applicant retained the security deposit (\$400) and interest (\$0.63) applying it against repairs (\$5733.66), cleaning costs (\$729) and rent arrears (\$941.76) leaving a balance owing to the applicant of \$7003.79. The applicant sought an order requiring the respondent to pay that amount. The premises are subsidized public housing.

The applicant provided an itemised statement in evidence indicating a balance owing of \$7003.79. The applicant also provided work orders and photographs pertaining to the repairs. The applicant stated that the repairs were made necessary due to the negligence of the respondent or persons she permitted in the premises.

The applicant stated that the parties had agreed to a payment plan.

I find the statement in order and find the respondent in breach of her obligation to pay rent and her obligation to repair damages to the premises. After the application of the security deposit and interest to the repair and cleaning costs, I find the repair and cleaning costs owed to the applicant to be \$6062.03. I find the repair costs to be reasonable. I find a balance of rent owing to the

applicant of \$941.76.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$941.76 and repair and cleaning costs of \$6062.03.

Hal Logsdon
Rental Officer