

IN THE MATTER between **NWT Housing Corporation**, Applicant, and **Dionne Bertrand and Jody Fantasque**, Respondents;

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, **Adelle Guigon**, Deputy Rental Officer, regarding a rental premises within **the Hamlet of Fort Liard in the Northwest Territories**.

BETWEEN:

**NWT HOUSING CORPORATION**

Applicant/Landlord

- and -

**DIONNE BERTRAND and JODY FANTASQUE**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents must pay to the applicant rental arrears in the amount of \$94 (ninety-four dollars).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents must pay their rent on time in the future.

DATED at the City of Yellowknife in the Northwest Territories this 6th day of January 2014.

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Adelle Guigon  
Deputy Rental Officer

IN THE MATTER between **NWT Housing Corporation**, Applicant, and **Dionne Bertrand and Jody Fantasque**, Respondents.

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 **Adelle Guigon**, Deputy Rental Officer.

BETWEEN:

**NWT HOUSING CORPORATION**

Applicant/Landlord

-and-

**DIONNE BERTRAND and JODY FANTASQUE**

Respondents/Tenants

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>November 27, 2013</b>
<b><u>Place of the Hearing:</u></b>	<b>Yellowknife, Northwest Territories, via Teleconference</b>
<b><u>Appearances at Hearing:</u></b>	<b>Chris Hewitt, representing the Applicant</b>
<b><u>Date of Decision:</u></b>	<b>November 27, 2013</b>

### **REASONS FOR DECISION**

An application to a rental officer made by NWT Housing Corporation as the applicant/landlord against Dionne Bertrand and Jody Fantasque as the respondents/tenants was filed by the Rental Office August 6, 2013. The application was regarding a tenancy agreement for the rental premises known as Lot 308, Plan 3919, in Fort Liard, Northwest Territories. The applicant served a copy of the filed application package on the respondents by registered mail signed for August 19, 2013.

The applicant alleged the respondents had rental arrears. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for November 27, 2013. Both parties were sent notices of the hearing on November 5, 2013. Mr. Chris Hewitt appeared representing the applicant. The respondents were deemed served the notices on November 14, 2013, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). They did not appear at hearing, nor did anyone appear on their behalf. The hearing proceeded in their absence pursuant to section 80(2) of the Act.

Mr. Hewitt testified that since the making of the application the respondents had made sufficient payments against their account to reduce the outstanding rental arrears to \$94. He amended his application, requesting an order for payment of the remaining \$94 and that future rent be paid on time.

#### *Tenancy Agreement*

A residential lease agreement was submitted into evidence for subsidized public housing for the rental premises known as Lot 308, Plan 3919, in Fort Liard, Northwest Territories. This agreement was for a fixed-term starting April 1, 2012, ending October 31, 2013, after which it reverted to a month-to-month tenancy agreement. I am satisfied a valid tenancy agreement was in place.

*Rental Arrears*

The statement of account, lease balance statements, and internal ledger reflect the landlord's accountings of assessed rent and payments made by the tenant as of November 15, 2013. I am satisfied these ledgers accurately represent the accumulation of rental arrears and payments made by the respondents during their tenancy.

These statements/ledgers reflect a consistent accumulation of rental arrears since April 2012 which climaxed in November 2012, after which the balance slowly began reducing. Payments were made consistently and fairly regularly, if not on time. The last payment was received November 15, 2013, in the amount of \$494, reducing the balance owing to \$94. Schedule A of the residential lease agreement identifies the rent is due the first of the month.

I find the respondents currently have rental arrears in the amount of \$94 and have been repeatedly late paying their rent. An order will issue requiring the respondents to pay rental arrears in the amount of \$94 and to pay their future rent on time.

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Adelle Guigon  
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Homeownership Entry Level Program Contract signed February 22, 2012

Exhibit 2: Residential Lease Agreement

Exhibit 3: HELP Assessment Results dated November 13, 2012

Exhibit 4: Statement of Account February 21, 2012, to November 1, 2012

Exhibit 5: Lease Balance Statement for April 1, 2012, to July 26, 2013

Exhibit 6: Lease Balance Statement for June 1, 2013, to June 28, 2013

Exhibit 7: Sam Account Statement for April 4, 2013, to July 10, 2013

Exhibit 8: Applicant's Outstanding Rental Arrears - 30 Days correspondence dated May 21, 2013

Exhibit 9: Internal Ledger for February 21, 2012, to November 15, 2013