

IN THE MATTER between **Hay River Housing Authority**, Applicant, and **Jamie Heron**, 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, **Adelle Guigon**, Deputy Rental Officer, regarding a rental premises within **the town of Hay River in the Northwest Territories**.

BETWEEN:

**HAY RIVER HOUSING AUTHORITY**

Applicant/Landlord

- and -

**JAMIE HERON**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$146.25 (one hundred forty-six dollars twenty-five cents).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent must pay his rent on time in the future.
3. Pursuant to sections 41(4)(c) and 83(2) of the *Residential Tenancies Act*, the tenancy agreement between the parties regarding the rental premises known as 1A Park Place in Hay River, Northwest Territories, will terminate October 31, 2014, and the respondent must vacate the rental premises on or before that date, unless the rental arrears are paid in full.

DATED at the City of Yellowknife in the Northwest Territories this 23rd day of July 2014.

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Adelle Guigon  
Deputy Rental Officer

IN THE MATTER between **Hay River Housing Authority**, Applicant, and **Jamie Heron**, Respondent.

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act");

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BETWEEN:

**HAY RIVER HOUSING AUTHORITY**

Applicant/Landlord

-and-

**JAMIE HERON**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>July 18, 2014</b>
<b><u>Place of the Hearing:</u></b>	<b>Hay River, Northwest Territories</b>
<b><u>Appearances at Hearing:</u></b>	<b>Willa-Jean Conroy, representing the applicant</b>
<b><u>Date of Decision:</u></b>	<b>July 18, 2014</b>

### **REASONS FOR DECISION**

An application to a rental officer made by Hay River Housing Authority as the applicant/landlord against Jamie Heron as the respondent/tenant was filed by the Rental Office June 19, 2014. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premises known as 1A Park Place in Hay River, Northwest Territories. The applicant personally served a copy of the filed application package on the respondent June 26, 2014.

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

A hearing was scheduled for July 18, 2014. Ms. Willa-Jean Conroy appeared representing the applicant. Ms. Jamie Heron was served a notice of attendance by registered mail deemed served July 3, 2014, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). Ms. Heron did not appear at hearing nor did anyone appear on her behalf. The hearing proceeded in her absence pursuant to section 80(2) of the Act.

Ms. Conroy testified that Ms. Heron has been a tenant in subsidized public housing at the rental premises known as 1A Park Place in Hay River, Northwest Territories, since September 20, 2012. Ms. Heron began accumulating rental arrears in March 2014 and as of the filing of this application her rental arrears had accumulated to \$1,791.25. Since the filing of this application Ms. Heron has successfully reduced her rental arrears to \$146.25 as of July 18, 2014.

Ms. Conroy requested an order for payment of the rental arrears. Due to the repeatedly late payment of rent evidenced by the client aged detail, Ms. Conroy also requested an order that future rent be paid on time. In consideration of Ms. Heron's respectable efforts to resolve her rental arrears balanced against the recent history of late rent payments, Ms. Conroy requested an order for conditional termination of the tenancy unless the rental arrears were paid in full.

#### *Tenancy agreement*

The residential tenancy agreement entered into evidence by the applicant is dated September 20, 2012, for a periodic, month-to-month tenancy for subsidized public housing. I am satisfied a valid tenancy agreement has been made between the parties in accordance with the Act.

*Rental arrears*

The client aged detail and statements of account reflect the landlord's account of assessed monthly rent and payments received as of July 16, 2014. I am satisfied these documents accurately represent payments received against the respondent's rent account. I find the respondent has accumulated rental arrears in the amount of \$146.25.

*Termination of the tenancy agreement*

The applicant has established that the respondent has accumulated rental arrears and has been repeatedly late paying her rent for several months. The respondent's recent efforts to resolve her rental arrears are admirable. I am satisfied a conditional termination order unless the rental arrears are paid in full is justified.

An order will issue requiring Ms. Jamie Heron to pay rental arrears in the amount of \$146.25, to pay her rent on time in the future, and terminating her tenancy October 31, 2014, unless her rental arrears are paid in full.

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Adelle Guigon  
Deputy Rental Officer

## APPENDIX A

### Exhibits

- Exhibit 1: Statement of facts regarding Karen Willford dated June 18, 2014
- Exhibit 2: Residential tenancy agreement fixed term lease dated September 20, 2012
- Exhibit 3: Applicant's statement dated June 9, 2014
- Exhibit 4: Applicant's outstanding rental arrears - 45 days correspondence to respondent dated May 21, 2014
- Exhibit 5: Applicant's outstanding rental arrears - 45 days correspondence to respondent dated May 9, 2014
- Exhibit 6: Applicant's outstanding rental arrears - 30 days correspondence to respondent dated April 23, 2014
- Exhibit 7: Applicant's outstanding rental arrears - 30 days correspondence to respondent dated April 9, 2014
- Exhibit 8: Applicant's outstanding rental arrears correspondence to respondent dated March 24, 2014
- Exhibit 9: Applicant's overdue account correspondence to respondent dated March 10, 2014
- Exhibit 10: Applicant's outstanding rental arrears correspondence to respondent dated February 10, 2014
- Exhibit 11: Applicant's outstanding rental arrears correspondence to respondent dated January 8, 2014
- Exhibit 12: Applicant's statement dated December 13, 2013
- Exhibit 13: Applicant's outstanding rental arrears correspondence to respondent dated November 22, 2013
- Exhibit 14: Applicant's overdue account correspondence to respondent dated November 12, 2013
- Exhibit 15: Applicant's overdue account correspondence to respondent dated September 24, 2013
- Exhibit 16: Applicant's outstanding rental arrears correspondence to respondent dated September 10, 2013
- Exhibit 17: Applicant's statement dated August 22, 2013
- Exhibit 18: Applicant's outstanding rental arrears correspondence to respondent dated August 13, 2013
- Exhibit 19: Applicant's statement dated June 20, 2013
- Exhibit 20: Applicant's statement dated May 16, 2013

- Exhibit 21: Applicant's overdue account correspondence to respondent dated April 22, 2013
- Exhibit 22: Applicant's overdue account correspondence to respondent dated March 15, 2013
- Exhibit 23: Applicant's overdue account correspondence to respondent dated November 16, 2012
- Exhibit 24: Applicant's statement dated June 18, 2014
- Exhibit 25: Client aged detail as of June 18, 2014
- Exhibit 26: Applicant's notice of termination of tenancy dated June 18, 2014
- Exhibit 27: Applicant's statement dated July 16, 2014
- Exhibit 28: Client aged detail as of July 16, 2014
- Exhibit 29: Applicant's statement dated July 8, 2014