

IN THE MATTER between **NWT Housing Corporation**, Applicant, and **Morgan Matou**, 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 community of Nahanni Butte in the Northwest Territories**.

BETWEEN:

**NWT HOUSING CORPORATION**

Applicant/Landlord

- and -

**MORGAN MATOU**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. The application is dismissed.

DATED at the City of Yellowknife in the Northwest Territories this 14th day of May 2015.

---

Adelle Guigon  
Deputy Rental Officer

IN THE MATTER between **NWT Housing Corporation**, Applicant, and **Morgan Matou**, 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 **Adelle Guigon**, Deputy Rental Officer.

BETWEEN:

**NWT HOUSING CORPORATION**

Applicant/Landlord

-and-

**MORGAN MATOU**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>May 13, 2015</b>
<b><u>Place of the Hearing:</u></b>	<b>Yellowknife, Northwest Territories, by teleconference</b>
<b><u>Appearances at Hearing:</u></b>	<b>John Dewar, representing the applicant Betty Hardisty, representing the applicant</b>
<b><u>Date of Decision:</u></b>	<b>May 13, 2015</b>

### **REASONS FOR DECISION**

An application to a rental officer made by NWT Housing Corporation as the applicant/landlord against Morgan Matou as the respondent/tenant was filed by the Rental Office January 29, 2015. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premises known as SK-027 in Nahanni Butte, Northwest Territories. The applicant personally served a copy of the filed application package on the respondent March 11, 2015, after an unsuccessful attempt to serve the document by registered mail.

The applicant alleged the respondent had repeatedly failed to pay the full amount of rent when it was due and had accumulated rental arrears. They sought an order for payment of rental arrears, termination of the tenancy agreement, and eviction. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for May 13, 2015, by teleconference. Mr. John Dewar and Ms. Betty Hardisty appeared representing the applicant. Mr. Morgan Matou was served with a notice of attendance by both registered mail and facsimile sent April 21, 2015, and deemed served pursuant to section 71 of the *Residential Tenancies Act* (the Act). Mr. Matou did not appear at hearing, nor did anyone appear on his behalf. The hearing proceeded in his absence pursuant to section 80(2) of the Act.

The applicant submitted additional evidence of the alleged rental arrears in the form of a lease balance statement printed on May 13, 2015, reflecting a payment to the respondent's rent account of \$1,200 on April 29, 2015, and two hand-written entries for the rent for April and May 2015. Included in the application package was a lease ledger printed January 23, 2015, reflecting the monthly assessed rent and payments received against the respondent's rent account between April 1, 2014, and February 1, 2015. There were no documents available to account for the difference in balances between February 1<sup>st</sup> and May 13<sup>th</sup>. It was deemed unfair to further consider the claim of rental arrears without a reliable and full accounting of monthly assessed rents and payments received to date. The applicant agreed with this assessment and that the application should be dismissed. It was acknowledged the applicant could make a new application once their supporting documents were in order.

---

Adelle Guigon  
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Lease ledger dated January 23, 2015

Exhibit 2: Applicant's outstanding rental arrears correspondences to respondent dated: January 9, 2015; December 22, 2014

Exhibit 3: Lease balance statement dated December 22, 2014

Exhibit 4: Applicant's NSF payment on HELP account correspondences to respondent dated: April 17, 2014; November 19, 2014; July 16, 2014; June 19, 2014

Exhibit 5: Residential lease agreement - undated and unsigned

Exhibit 6: Residential lease agreement - undated, but signed by both parties for a fixed-term from April 1, 2012, to April 30, 2014

Exhibit 7: Homeownership Entry Level Program agreement signed January 31, 2011

Exhibit 8: Applicant's Homeownership Entry Level Program (HELP) correspondence to respondent dated January 27, 2014

Exhibit 9: Lease balance statement dated May 13, 2015