

IN THE MATTER between **Behchoko Ko Gha Kaodee**, Applicant, and **Karen Mantla and John Lafferty**, 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 town of Behchoko in the Northwest Territories**.

BETWEEN:

**BEHCHOKO KO GHA KAODEE**

Applicant/Landlord

- and -

**KAREN MANTLA and JOHN LAFFERTY**

Respondents/Tenants

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to sections 41(4)(a) and 84(2) of the *Residential Tenancies Act*, the respondents must pay to the applicant rental arrears in the amount of \$1,733.50 (one thousand seven hundred thirty-three dollars fifty cents) in minimum monthly installments of \$150.00 (one hundred fifty dollars) starting in May 2015 and each month thereafter until the rental arrears are paid in full.
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 22<sup>nd</sup> day of May 2015.

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Adelle Guigon  
Deputy Rental Officer

IN THE MATTER between **Behchoko Ko Gha Kaodee**, Applicant, and **Karen Mantla and John Lafferty**, 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:

**BEHCHOKO KO GHA KAODEE**

Applicant/Landlord

-and-

**KAREN MANTLA and JOHN LAFFERTY**

Respondents/Tenants

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>April 30, 2015</b>
<b><u>Place of the Hearing:</u></b>	<b>Behchoko, Northwest Territories</b>
<b><u>Appearances at Hearing:</u></b>	<b>Michael Keohane, representing the applicant Karen Mantla, respondent John Lafferty, respondent</b>
<b><u>Date of Decision:</u></b>	<b>April 30, 2015</b>

**REASONS FOR DECISION**

An application to a rental officer made by Behchoko Ko Gha Kaodee as the applicant/landlord against Karen Mantla and John Lafferty as the respondents/tenants was filed by the Rental Office February 27, 2015. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premises known as Unit #448B in Behchoko, Northwest Territories. The applicant personally served a copy of the filed application on the respondents March 31, 2015.

The applicant alleged the respondents had accumulated rental arrears and sought an order for payment of the arrears and that future rent be paid on time. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for April 30, 2015, in Behchoko, Northwest Territories. Mr. Michael Keohane appeared representing the applicant. Ms. Karen Mantla and Mr. John Lafferty appeared as respondents.

The parties agreed and acknowledged that a valid tenancy agreement is in place between them for subsidized public housing. The applicant submitted lease balance statements reflecting the landlord's accounting of monthly assessed rent and payments received against the respondents' rent account showing a balance owing as of April 29, 2015, in the amount of \$3,526.40. Mr. Keohane confirmed that all rents have been assessed subsidies. A review of the statement showed three charges for repairs totalling \$1,792.90 for which the applicant had no evidence to support and for which a request for compensation was not included in the application. The rental arrears claimed were adjusted accordingly to \$1,733.50.

Ms. Mantla and Mr. Lafferty did not dispute the adjusted amount of rental arrears, acknowledging their debt in that regard. Mr. Lafferty advised that he works seasonally in the forestry industry and is expecting to commence work shortly. The respondents anticipate they should not have a problem going forward with paying their monthly rent on time and expect to have the rental arrears paid off within four months. They agreed to a monthly payment plan of \$150 in addition to their monthly rent to show their commitment to resolving their debt. The applicant was receptive to the incorporation of a payment plan into an order for payment.

*Tenancy agreement*

The residential tenancy agreements entered into evidence and the parties testimonies satisfy me that a valid tenancy agreement for subsidized public housing is in place between the parties in accordance with the *Residential Tenancies Act* (the Act).

*Rental arrears*

I am satisfied the lease balance statements entered into evidence accurately reflect the monthly assessed rents and payments made against the respondents' rent account. I find the respondents have accumulated rental arrears in the amount of \$1,733.50.

An order will issue requiring Ms. Karen Mantla and Mr. John Lafferty to pay rental arrears in the amount of \$1,733.50 in minimum monthly installments of \$150 starting in May 2015 and each month thereafter until the rental arrears are paid in full, and that they pay their future rent on time.

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Adelle Guigon  
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Lease balance statement dated February 13, 2015

Exhibit 2: Tenant ledger card for rent from March 18, 2011, to March 1, 2012

Exhibit 3: Tenant ledger card for security deposit

Exhibit 4: Residential tenancy agreements dated: February 5, 2015; March 1, 2013; January 18, 2011

Exhibit 5: Lease balance statement dated April 29, 2015