

IN THE MATTER between **Fort Providence Housing Association**, Applicant, and
Allan Antoine and Lorna Antoine, 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 Providence in the Northwest
Territories**.

BETWEEN:

FORT PROVIDENCE HOUSING ASSOCIATION

Applicant/Landlord

- and -

ALLAN ANTOINE and LORNA ANTOINE

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 \$2,613.94 (two thousand six hundred thirteen dollars ninety-four cents).

DATED at the City of Yellowknife in the Northwest Territories this 5th day of June
2015.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Fort Providence Housing Association**, Applicant, and
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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:

FORT PROVIDENCE HOUSING ASSOCIATION

Applicant/Landlord

-and-

ALLAN ANTOINE and LORNA ANTOINE

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	May 7, 2015
<u>Place of the Hearing:</u>	Fort Providence, Northwest Territories, by teleconference
<u>Appearances at Hearing:</u>	Alphonsine Gargan, representing the applicant Allan Antoine, respondent Lorna Antoine, respondent
<u>Date of Decision:</u>	May 7, 2015

REASONS FOR DECISION

An application to a rental officer made by Fort Providence Housing Association as the applicant/landlord against Allan Antoine and Lorna Antoine as the respondents/tenants was filed by the Rental Office March 23, 2015. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premises known as Unit H-0010, Lot 255, in Fort Providence, Northwest Territories. The applicant personally served a copy of the filed application on the respondents April 1, 2015.

The applicant alleged in the application the respondents had accumulated rental arrears and failed to pay the full amount of security deposit owing. An order was sought for payment of the rental arrears, payment of the outstanding security deposit, and termination of the tenancy agreement. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for May 7, 2015, in Fort Providence, Northwest Territories. Ms. Alphonsine Gargan appeared representing the applicant. Mr. Allan Antoine and Ms. Lorna Antoine appeared as respondents.

The parties agreed they had been parties to a residential tenancy agreement for subsidized public housing commencing December 17, 2014. The tenancy ended March 13, 2015, when the respondents vacated the rental premises in compliance with the applicant's request to do so. The respondents did not dispute the applicant's claim of accumulated rental arrears as of the end of their tenancy in the amount of \$3,090.01. The respondents also did not dispute the applicant's claim that only \$476 out of \$1,430 owed for security deposit was paid. The amounts claimed are substantiated by lease balance statements entered into evidence by the applicant.

Tenancy agreement

I am satisfied a valid tenancy agreement for subsidized public housing was in place between the parties in accordance with the *Residential Tenancies Act*.

Rental arrears and security deposit

The lease balance statement entered into evidence by the applicant represents the landlord's accounting of monthly assessed rent and payments made against the respondents' rent account, including charges and payments for the security deposit. The respondent's did not dispute the accuracy of this statement. I am satisfied the lease balance statement accurately reflects entries made to the respondents' rent account.

I am satisfied the respondents have accumulated rental arrears in the amount of \$3,090.01. I am satisfied the respondents have paid \$476 of their security deposit. I have calculated the interest accumulated against the security deposit paid in accordance with the *Residential Tenancies Regulations* to be \$0.07. After applying the total security deposit of \$476.07 against the rental arrears, I find the respondents have a remaining rental arrears in the amount of \$2,613.94. An order will issue requiring the respondents to pay rental arrears in the amount of \$2,613.94.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Lease balance statement dated March 18, 2015

Exhibit 2: Applicant's rent and damage deposit correspondence to respondents dated February 9, 2015

Exhibit 3: Applicant's notice of termination correspondence to respondents dated March 2, 2015

Exhibit 4: Residential lease agreement dated December 17, 2014

Exhibit 5: Lease balance statement dated May 5, 2015