

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,  
and **SABRINA GARGAN**, 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, **HAL LOGSDON**, Rental Officer,  
regarding the rental premises at **FORT SIMPSON, NT**.

BETWEEN:

**FORT SIMPSON HOUSING AUTHORITY**

Applicant/Landlord

- and -

**SABRINA GARGAN**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of six thousand one hundred seventy five dollars (\$6175.00).
2. Pursuant to sections 45(4)(a) and 45(4)(b) of the *Residential Tenancies Act*, the respondent shall comply with her obligation to report the household income as set out in the tenancy agreement and shall not breach that obligation again.

DATED at the City of Yellowknife, in the Northwest Territories this 17th day of June,  
2015.

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Hal Logsdon  
Rental Officer

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,  
and **SABRINA GARGAN**, 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 **Hal Logsdon**, Rental Officer.

BETWEEN:

**FORT SIMPSON HOUSING AUTHORITY**

Applicant/Landlord

-and-

**SABRINA GARGAN**

Respondent/Tenant

**REASONS FOR DECISION**

**Date of the Hearing:**                      **June 3, 2015**

**Place of the Hearing:**                      **Fort Simpson, NT via teleconference**

**Appearances at Hearing:**                      **Kathy Konisenta, representing the applicant**

**Date of Decision:**                      **June 17, 2015**

**REASONS FOR DECISION**

The respondent was served with a Notice of Attendance sent by registered mail and confirmed delivered. The respondent failed to appear at the hearing and the hearing was held in her absence.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent. The application was made pursuant to section 41(4)(b) seeking an order to pay future rent on time but the applicant also sought an order for the rent arrears. The premises are subsidized public housing.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing in the amount of \$6175. The full unsubsidized rent was assessed in May and June, 2015. The applicant testified that no household income information had been received to enable the calculation of a subsidized rent for those months.

A previous order (file #10-14154, filed on August 22, 2014) ordered the respondent to pay rent arrears of \$1925 in monthly installments of \$500 and to pay future rent on time. Although the arrears payments were not paid on time, the respondent has paid a total of \$3760 since the order was issued, satisfying the monetary value of the order.

I find the statement in order and find the respondent in breach of her obligation to pay rent. I find the application of the full unsubsidized rent to be reasonable but note that the applicant is

obligated to re-assess the May and June, 2015 rents as required, should the respondent report the household income as required. I find rent arrears of \$6175.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$6175, to comply with her obligation to report the household income and to not breach that obligation in the future. There is no requirement to issue an order to pay future rent on time as that order has been previously issued and remains in effect.

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Hal Logsdon  
Rental Officer