

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,
and **ANDREA GROSSETETE AND RUBEN UNKA**, 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, **HAL LOGSDON**, Rental Officer,
regarding the rental premises at **FORT SIMPSON, NT**.

BETWEEN:

FORT SIMPSON HOUSING AUTHORITY

Applicant/Landlord

- and -

ANDREA GROSSETETE AND RUBEN UNKA

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 84(3) and 41(4)(a) of the *Residential Tenancies Act*, the previous order (file #10-13591, filed on September 23, 2013) is rescinded and the respondent, Andrea Grossetete is ordered to pay the applicant rent arrears in the amount of four thousand sixty seven dollars (\$4067.00).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent, Andrea Grossetete, shall pay future rent on time.

DATED at the City of Yellowknife, in the Northwest Territories this 25th day of June,
2015.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT SIMPSON HOUSING AUTHORITY**, Applicant,
and **ANDREA GROSSETETE AND RUBEN UNKA**, 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 **Hal Logsdon**, Rental Officer.

BETWEEN:

FORT SIMPSON HOUSING AUTHORITY

Applicant/Landlord

-and-

ANDREA GROSSETETE AND RUBEN UNKA

Respondents/Tenants

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 3, 2015**

REASONS FOR DECISION

The respondents were served with Notices of Attendance sent by registered mail and confirmed delivered. The respondents failed to appear at the hearing and the hearing was held in their absence.

The applicant alleged that the respondents had breached a previous order (file #10-13591, filed on September 23, 2013) by failing to pay rent arrears in accordance with the schedule set out in the order.

The applicant stated that the respondents were joint tenants but the tenancy agreements that have been in effect throughout the tenancy all name Ms Grossetete as the sole occupant and list Mr. Unka only as an occupant on Schedule B. Therefore, I find Ms Grossetete to be the sole tenant. As was the case with the previous order, Ms Grossetete is solely responsible for any rent arrears.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing of \$4067. The June, 2015 rent was assessed at the full unsubsidized rate of \$1625. The applicant stated that the respondent had failed to provide any income information to enable the calculation of a subsidized rent for that month.

The previous order required the respondent to pay the monthly rent plus an additional \$150 each month until the rent arrears were paid in full. My review of payments made since that order was

issued reveals that the respondent made sufficient payments to satisfy the order for most months since the order was issued and most often paid more than the order required. It was only in May and June, 2015 when the respondent fell seriously behind with the ordered payments.

I find the respondent in breach of the previous order and find rent arrears of \$4067. I find the application of the full unsubsidized rent in June, 2015 to be reasonable but note that the applicant is obligated to adjust the June rent to a rent based on income should the respondent comply with her obligation to report the household income.

An order shall issue rescinding the previous order and ordering the respondent to pay the applicant rent arrears in the amount of \$4067 and to pay future rent on time.

Hal Logsdon
Rental Officer