

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant,
and **Glen Jr. Larsen and Tatelena Dow**, 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,
regarding a rental premises located within the **town of Hay River in the Northwest
Territories.**

BETWEEN:

NORTHWEST TERRITORIES HOUSING CORPORATION

Applicant/Landlord

- and -

GLEN JR. LARSEN and TATELENA DOW

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 total amount of \$1,858.81 (one thousand eight hundred fifty-eight dollars eighty-one cents).

DATED at the City of Yellowknife in the Northwest Territories this 7th day of August
2015.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant,
and **Glen Jr. Larsen and Tatelena Dow**, Respondents.

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
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BETWEEN:

NORTHWEST TERRITORIES HOUSING CORPORATION

Applicant/Landlord

-and-

GLEN JR. LARSEN and TATELENA DOW

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	July 8, 2015
<u>Place of the Hearing:</u>	Hay River, Northwest Territories, by teleconference
<u>Appearances at Hearing:</u>	Yvonne Burke, representing the applicant Kim Beaulieu, representing the applicant Tatelena Dow, respondent Glen Larsen, Jr., respondent
<u>Date of Decision:</u>	July 8, 2015

REASONS FOR DECISION

An application to a rental officer made by Northwest Territories Housing Corporation as the applicant/landlord against Glen Jr. Larsen and Tatelena Dow as the respondents/tenants was filed by the Rental Office May 6, 2015. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premises known as 36 Stewart Drive in Hay River, Northwest Territories. The applicant served a copy of the filed application on the respondents by registered mail signed for June 2, 2015.

The applicant alleged the respondents had accumulated rental arrears and failed to pay utilities, and sought an order for payment of both. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for July 8, 2015, in Hay River, Northwest Territories. Ms. Yvonne Burke and Ms. Kim Beaulieu appeared representing the applicant. Ms. Tatelena Dow and Mr. Glen Larsen, Jr., appeared as respondents.

Tenancy agreement

The parties agreed and a written tenancy agreement was entered into evidence establishing a tenancy between them for the rental premises known as 36 Stewart Drive in Hay River, Northwest Territories. The tenancy commenced in April 2012. I am satisfied a valid tenancy agreement was in place between the parties in accordance with the *Residential Tenancies Act* (the Act).

Rental arrears and utilities

The lease balance statements entered into evidence represent the landlord's accounting of monthly assessed rents and payments received against the respondents' rent account. The respondents disputed the accuracy of the statement which was provided as part of the application to a rental officer, citing several payments they had made which were not reflected in the statement. Both parties subsequently provided an updated lease balance statement and lease

ledger which balanced, reflecting the previously undocumented payments. I am satisfied the updated lease balance statement and lease ledger accurately reflect the current status of the respondents' rent account and that the respondents have accumulated rental arrears in the amount of \$1,735.

A transaction list from the Town of Hay River was provided into evidence substantiating the landlord's claim for unpaid water bills in the total amount of \$123.81 which the landlord was required to pay. The respondents' initially disputed this claim, however, after they reviewed the materials they admitted to misunderstanding the statement and acknowledged their debt. Section 8 of the tenancy agreement specifies utilities are the tenants' responsibility. I am satisfied the respondents failed to comply with their obligation to pay their utility (water) bill in the amount of \$123.81. I find the respondents have accumulated rental and utilities arrears in the total amount of \$1,858.81.

Order

An order will issue requiring Mr. Glen Jr. Larsen and Ms. Tatelena Dow to pay rental arrears in the total amount of \$1,858.81.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

- Exhibit 1: Lease balance statement dated February 2, 2015
- Exhibit 2: Town of Hay River transaction list dated January 29, 2015
- Exhibit 3: Applicant's correspondences to respondents dated: June 11, 2014; May 14, 2014; September 30, 2013; February 5, 2014; January 22, 2014; January 27, 2014
- Exhibit 4: Promissory note signed by respondents January 22, 2014
- Exhibit 5: Agreement to pay rental arrears signed by respondents January 22, 2014
- Exhibit 6: Residential lease agreement signed by all parties
- Exhibit 7: Lease balance statement dated July 8, 2015
- Exhibit 8: Fax cover sheet from respondents dated July 8, 2015
- Exhibit 9: Agreement to pay rental arrears signed February 23, 2015
- Exhibit 10: Lease ledger dated July 7, 2015
- Exhibit 11: Town of Hay River transaction list dated July 8, 2015