

IN THE MATTER between **Fort Simpson Housing Authority**, Applicant, and **Kurt Tsetso and Jocelyn Frances Tsetso**, 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 **village of Fort Simpson in the Northwest Territories**.

BETWEEN:

**FORT SIMPSON HOUSING AUTHORITY**

Applicant/Landlord

- and -

**KURT TSETSO and JOCELYN FRANCES TSETSO**

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 \$13,616.74 (thirteen thousand six hundred sixteen dollars seventy-four cents).

DATED at the City of Yellowknife in the Northwest Territories this 10th day of August 2015.

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Adelle Guigon  
Deputy Rental Officer

IN THE MATTER between **Fort Simpson Housing Authority**, Applicant, and **Kurt Tsetso and Jocelyn Frances Tsetso**, Respondents.

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act");

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BETWEEN:

**FORT SIMPSON HOUSING AUTHORITY**

Applicant/Landlord

-and-

**KURT TSETSO and JOCELYN FRANCES TSETSO**

Respondents/Tenants

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>July 28, 2015</b>
<b><u>Place of the Hearing:</u></b>	<b>Fort Simpson, Northwest Territories</b>
<b><u>Appearances at Hearing:</u></b>	<b>Hilda Gerlock, representing the applicant Jocelyn Tsetso, respondent Kurt Tsetso, respondent</b>
<b><u>Date of Decision:</u></b>	<b>July 28, 2015</b>

### **REASONS FOR DECISION**

An application to a rental officer made by Fort Simpson Housing Authority as the applicant/landlord against Kurt Tsetso and Jocelyn Frances Tsetso as the respondents/tenants was filed by the Rental Office June 8, 2015. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premises known as FSP-1097, Lot 103, Plan 364, in Fort Simpson, Northwest Territories. The applicant served a copy of the filed application on the respondents by registered mail signed for June 18, 2015.

The applicant alleged the respondents had accumulated rental arrears and were no longer eligible for subsidized public housing. An order was sought for payment of the rental arrears, termination of the tenancy agreement, and eviction. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for July 28, 2015, in Fort Simpson, Northwest Territories. Ms. Hilda Gerlock appeared representing the applicant. Mr. Kurt Tsetso and Ms. Jocelyn Tsetso appeared as respondents.

#### *Tenancy agreement*

The parties agreed and evidence was provided establishing a joint tenancy agreement between them for subsidized public housing at the rental premises known as FSP-1097, Lot 103, Plan 364, in Fort Simpson, Northwest Territories. The current written tenancy agreement commenced April 1, 2012. Mr. Tsetso moved out of the rental premises in April 2015 at which time a written request was made to remove him from the joint tenancy; the request was not fulfilled and the parties agreed that Mr. Tsetso remains responsible for the tenancy agreement to date jointly with Ms. Tsetso. I am satisfied a valid tenancy agreement is in place between the parties for subsidized public housing in accordance with the *Residential Tenancies Act* (the Act).

#### *Termination of the tenancy agreement, eviction, and eligibility for subsidized public housing*

Ms. Gerlock confirmed in recognition of Ms. Tsetso's sole occupancy of the rental premises that she does qualify for subsidized public housing and efforts will be made going forward to come to an agreement for a sole tenancy with her. Ms. Gerlock withdrew the applicant's request for termination of the tenancy agreement and eviction.

*Rental arrears*

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 did not dispute the accuracy of the statements and acknowledged their joint debt to the landlord. I am satisfied the statements accurately represent the current status of the respondents' rent account. I find the respondents have accumulated rental arrears in the amount of \$13,616.74.

*Order*

An order will issue requiring Mr. Kurt Tsetso and Ms. Jocelyn Frances Tsetso to pay rental arrears in the amount of \$13,616.74.

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Adelle Guigon  
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Lease balance statement dated May 28, 2015

Exhibit 2: Applicant's correspondences to respondents dated: May 20, 2015; October 8, 2014

Exhibit 3: Rent calculation forms for April 2015, December 2014, and July 2014

Exhibit 4: Lease balance statement dated July 14, 2015

Exhibit 5: Applicant's correspondence to respondents dated May 20, 2015

Exhibit 6: Respondents' written request to remove Kurt Tsetso from the tenancy agreement dated April 24, 2015

Exhibit 7: Lease balance statement dated July 28, 2015

Exhibit 8: Residential tenancy agreement dated April 1, 2015