

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant,
and **George Mackeinzo and Marion Mackeinzo**, 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 **charter community of Deline in the
Northwest Territories**.

BETWEEN:

NORTHWEST TERRITORIES HOUSING CORPORATION

Applicant/Landlord

- and -

GEORGE MACKEINZO and MARION MACKEINZO

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 \$3,964.00 (three thousand nine hundred sixty-four dollars).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondents must pay their rent on time in the future.

DATED at the City of Yellowknife in the Northwest Territories this 23rd day of October
2015.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant,
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AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter
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Applicant/Landlord

-and-

GEORGE MACKEINZO and MARION MACKEINZO

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	September 23, 2015
<u>Place of the Hearing:</u>	Deline, Northwest Territories, by teleconference
<u>Appearances at Hearing:</u>	Phebie Kenny, representing the applicant George Mackeinzo, respondent Marion Mackeinzo, respondent
<u>Date of Decision:</u>	September 23, 2015

REASONS FOR DECISION

An application to a rental officer made by Deline Housing Association as the applicant/landlord against George Mackeinzo and Marion (Merine) Mackeinzo as the respondents/tenants was filed by the Rental Office August 12, 2015. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premises known as Unit 108 in Deline, Northwest Territories. The applicant personally served a copy of the filed application on the respondents August 21, 2015.

The applicant alleged the respondents had accumulated rental arrears and sought an order 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 September 23, 2015, in Deline, Northwest Territories. Ms. Phebie Kenny appeared representing the applicant. Mr. George Mackeinzo and Ms. Marion Mackeinzo appeared as respondents.

Preliminary matters

The application to a rental officer identified the landlord as Deline Housing Association and the respondents as George and Marion (Merine) Mackeinzo. The written tenancy agreement identifies the landlord as Northwest Territories Housing Corporation with Deline Housing Association as their agent, and the respondents as George Mackeinzo and Marion Mackeinzo. The landlord confirmed at hearing that Deline Housing Association is in fact the Northwest Territories Housing Corporation's agent and that the landlord should be identified as Northwest Territories Housing Corporation. Ms. Mackeinzo identified herself on the record as Marion Mackeinzo, acknowledging the written tenancy agreement as correct. The application and style of cause going forward will identify the landlord as Northwest Territories Housing Corporation and the respondents as George Mackeinzo and Marion Mackeinzo.

Tenancy agreement

The parties agreed and evidence was presented establishing a written tenancy agreement between them for subsidized public housing. The tenancy commenced October 1, 2013. The current rental premises has been identified as Unit 108 in Deline, Northwest Territories. The maximum monthly rent has been established at \$1,445. I am satisfied a valid residential tenancy agreement for subsidized public housing is in place between the parties in accordance with the *Residential Tenancies Act* (the Act).

Rental arrears

The tenant ledger cards entered into evidence represent the landlord's accounting of monthly assessed rents and payments received against the respondents' rent account. All rents have been assessed a subsidy based on reported household income. The last payment made against the rent account was recorded March 17, 2015, in the amount of \$1,800.92. The rental arrears have been accumulating since October 2014. The tenant ledger cards substantiate the landlord's claim that the respondents have been repeatedly late paying the full amount of rent when due. The rental arrears accumulated as of August 26, 2015, total \$3,964. The respondents did not dispute the accuracy of the landlord's accounting and acknowledged their debt. I am satisfied the tenant ledger cards accurately reflect the current status of the respondents' rent account. I find the respondents have repeatedly failed to pay the full amount of their rent when due and have accumulated rental arrears in the amount of \$3,964.

Termination of the tenancy agreement

The respondents explained that up until a few months ago they believed Income Support was going to pay their monthly rent directly to the landlord. Subsequent requests for help to pay their rent were denied, for which the respondents are making efforts to appeal. The respondents indicated they are making efforts to work extra hours so as to earn the money to make extra payments against their arrears. They have promised to communicate with the landlord regarding their efforts to appeal against Income Support's denial for assistance.

Ms. Kenny indicated that time to pay was not a great issue for the landlord and the applicant really just wanted to see the arrears go down on a regular basis. She withdrew the applicant's request for termination of the tenancy, requesting only an order to pay the rental arrears and that future rent be paid on time.

Orders

An order will issue requiring Mr. George Mackeinzo and Ms. Marion Mackeinzo to pay rental arrears in the amount of \$3,964 and to pay their future rent on time.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Residential tenancy agreement dated October 2, 2013

Exhibit 2: Rent calculation forms for October 2014 to July 2015

Exhibit 3: Applicant's correspondences to respondents dated: July 14, 2015; June 29, 2015; June 16, 2015; May 28, 2015; May 11, 2015

Exhibit 4: Tenant ledger cards for rent from September 22, 2014, to July 2, 2015

Exhibit 5: Tenant ledger card for rent from May 4 to August 26, 2015