

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,
Applicant, and **WAYNE KING**, 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 RESOLUTION, NT**.

BETWEEN:

FORT RESOLUTION HOUSING AUTHORITY

Applicant/Landlord

- and -

WAYNE KING

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to sections 84(3) and 41(4)(a) of the *Residential Tenancies Act*, the previous order (file #10-14368, filed on January 6, 2015) is rescinded and the respondent is ordered to pay the applicant rent arrears in the amount of four thousand four hundred thirty eight dollars and forty nine cents (\$4438.49).

DATED at the City of Yellowknife, in the Northwest Territories this 4th day of
November, 2015.

Hal Logsdon
Rental Officer

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,
Applicant, and **WAYNE KING**, 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 RESOLUTION HOUSING AUTHORITY

Applicant/Landlord

-and-

WAYNE KING

Respondent/Tenant

REASONS FOR DECISION

Date of the Hearing: September 10, 2015

Place of the Hearing: Fort Resolution, NT via telephone

Appearances at Hearing: Elizabeth-Ann McKay, representing the applicant

Date of Decision: October 29, 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 his absence.

A previous order (file #10-14368, filed on January 6, 2015) required the respondent to pay rent arrears of \$5720 in monthly payments of \$100 and to pay the monthly rent on time. The applicant alleged that the respondent had breached the previous order by failing to pay the monthly rent and the ordered payments of arrears. The applicant sought an order rescinding the previous order and ordering the respondent to pay the balance owing in lump sum. The premises are subsidized public housing.

The tenancy agreement between the parties was terminated on April 30, 2015 when the respondent vacated the premises.

The applicant provided a statement of the rent account in evidence which indicated a balance of rent owing as at April 17, 2015 of \$5140. The applicant advised that a security deposit of \$700 and accrued interest of \$1.51 had been applied to the account which was not shown on the ledger, bringing the balance owing to \$4438.49. The applicant sought relief in that amount.

Since the previous order was issued, rents totalling \$2300 have been assessed. Ordered payments of arrears since the order was issued total \$900. Total payments made by the respondent total

\$2880. Therefore the respondent failed to satisfy the previous order and there are sufficient grounds to rescind that order and order the full balance owing to be paid.

Rent assessed since previous order	\$2300
Ordered payments of arrears (9 months x \$100)	900
Payments made since previous order	<u>(2880)</u>
Shortfall	\$320

I find the respondent in breach of the previous order and find current rent arrears owing, net of the security deposit and interest to be \$4438.49.

Security deposit	(\$700.00)
Interest	(1.51)
Rent arrears	<u>5140.00</u>
Amount owing	\$4438.49

An order shall issue rescinding the previous order and ordering the lump sum payment of the remaining balance of rent arrears in the amount of \$4438.49

Hal Logsdon
Rental Officer