

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,  
Applicant, and **JENALL MCKAY-BALSILLIE**, Respondent;

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

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 -

**JENALL MCKAY-BALSILLIE**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent shall pay the applicant rent arrears in the amount of three thousand ninety five dollars (\$3095.00).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent shall pay future rent on time.

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

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Hal Logsdon  
Rental Officer

IN THE MATTER between **FORT RESOLUTION HOUSING AUTHORITY**,  
Applicant, and **JENALL MCKAY-BALSILLIE**, 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-

**JENALL MCKAY-BALSILLIE**

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:** September 10, 2015

### **REASONS FOR DECISION**

The respondent was sent a Notice of Attendance by registered mail. At the time of the hearing there was no confirmation of delivery but Canada Post confirmed that a notice was left at the respondent's address on August 21, 2015 indicating where the item could be picked up. The respondent failed to appear at the hearing. In my opinion it is not unreasonable to deem the Notice of Attendance served in accordance with section 71(5) of the *Residential Tenancies Act*. The hearing was held in the absence of the respondent.

The applicant alleged that the respondent had breached the tenancy agreement by failing to pay rent and sought an order requiring the respondent to pay the alleged rent arrears and to pay future rent on time. The premises are subsidized public housing.

The applicant provided a statement of the rent account which indicated a balance of rent owing in the amount of \$3095. The full unsubsidized rent of \$1545 had been applied in the months of July and September, 2015. The applicant testified that the respondent had failed to provide any income information on which to calculate a subsidized rent.

I find the statement in order and find the respondent in breach of her obligation to pay rent. I find the rent arrears to be \$3095. I find the application of the full unsubsidized rent in July and September to be reasonable but note that should the respondent provide the required household income information, the applicant is obligated to adjust the rents for July and September, 2015 as

necessary.

An order shall issue requiring the respondent to pay the applicant rent arrears of \$3095 and to pay future rent on time.

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Hal Logsdon  
Rental Officer