

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant,  
and **Rhonda Wolki**, 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, **Adelle Guigon**, Deputy Rental Officer,  
regarding a rental premises located within the **town of Fort Smith in the Northwest  
Territories.**

BETWEEN:

**NORTHWEST TERRITORIES HOUSING CORPORATION**

Applicant/Landlord

- and -

**RHONDA WOLKI**

Respondent/Tenant

**ORDER**

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$160.00 (one hundred sixty dollars).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent must pay her rent on time in the future.

DATED at the City of Yellowknife in the Northwest Territories this 24th day of  
November 2015.

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Adelle Guigon  
Deputy Rental Officer

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-and-

**RHONDA WOLKI**

Respondent/Tenant

**REASONS FOR DECISION**

<b><u>Date of the Hearing:</u></b>	<b>November 3, 2015</b>
<b><u>Place of the Hearing:</u></b>	<b>Fort Smith, Northwest Territories, by teleconference</b>
<b><u>Appearances at Hearing:</u></b>	<b>Kevin Mageean, representing the applicant Rhonda Wolki, respondent</b>
<b><u>Date of Decision:</u></b>	<b>November 3, 2015</b>

**REASONS FOR DECISION**

An application to a rental officer made by Fort Smith Housing Authority as the applicant/landlord against Rhonda Wolki as the respondent/tenant was filed by the Rental Office July 21, 2015. The application was made regarding two subsidized public housing residential tenancy agreements for the rental premises known as Unit #0079, 24 St. Mary's Street, and Unit #0028, 408 Calder Avenue, both in Fort Smith, Northwest Territories. The applicant served a copy of the filed application on the respondent by registered mail signed for August 10, 2015.

The applicant alleged the respondent had failed to pay for the costs of repairs to Unit #0079, had been repeatedly late paying the full amount of rent when due at Unit #0028, had failed to report household income for Unit #0028, and had accumulated rental arrears for Unit #0028. An order was requested for compensation of the cost of repairs, payment of 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 November 3, 2015, in Fort Smith, Northwest Territories. Mr. Kevin Mageean appeared representing the applicant. Ms. Rhonda Wolki appeared as respondent.

*Preliminary matters*

The application to a rental officer identified the landlord as Fort Smith Housing Authority. The written tenancy agreements identify the landlord as Northwest Territories Housing Corporation with Fort Smith Housing Authority as its agent. Mr. Mageean agreed at hearing that the application should identify the landlord as Northwest Territories Housing Corporation. The application and style of cause will reflect Northwest Territories Housing Corporation as the landlord going forward.

*Unit #0079*

Mr. Mageean testified at hearing that since the filing of this application Ms. Wolki has resolved her debt to the landlord regarding the necessary repairs to Unit #0079. As such, Mr. Mageean withdrew the applicant's request for an order in relation to Unit #0079.

*Unit #0028*

Mr. Mageean testified at hearing that since the filing of this application Ms. Wolki had substantially resolved the issues related to Unit #0028 and, as such, he withdrew the applicant's request for termination of the tenancy agreement and eviction.

*Tenancy agreement*

The parties agreed and evidence was presented establishing a tenancy agreement between them for subsidized public housing for Unit #0028, 408 Calder Avenue, in Fort Smith, Northwest Territories. The tenant transferred into Unit #0028 on July 1, 2015. I am satisfied a valid tenancy agreement is in place between the parties in accordance with the Act.

*Rental arrears*

The lease balance statements entered into evidence represent the landlord's accounting of monthly assessed rents and payments made against the respondent's rent account. The respondent did not dispute the accuracy of this accounting. I am satisfied the lease balance statements accurately reflect the current status of the respondent's rent account. I find the respondent has accumulated rental arrears in the amount of \$160.

The lease balance statements corroborate the applicant's submission that the respondent has been repeatedly late paying the full amount of rent when due. The respondent did not dispute this allegation, indicating at hearing that she has applied for assistance from Income Support and a cheque should be forthcoming to resolve her account in full. I am satisfied the respondent has been repeatedly late paying the full amount of rent when due.

*Orders*

An order will issue requiring Ms. Rhonda Wolki to pay rental arrears in the amount of \$160 and to pay her rent on time in the future.

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Adelle Guigon  
Deputy Rental Officer

## APPENDIX A

### Exhibits

- Exhibit 1: Lease balance statements for 408 Calder Avenue printed July 16, 2015
- Exhibit 2: Unsigned residential tenancy agreement for 408 Calder Avenue dated July 1, 2015
- Exhibit 3: Applicant's correspondences to respondent dated: August 15, 2014; June 2, 2014; January 30, 2015
- Exhibit 4: Signed residential tenancy agreement for 408 Calder Avenue dated August 11, 2014
- Exhibit 5: Lease balance statements for 24 St. Mary's Street printed July 16, 2015
- Exhibit 6: Signed residential tenancy agreement for 408 Calder Avenue dated June 6, 2014
- Exhibit 7: Check-in inspection report for 408 Calder Avenue dated June 6, 2014
- Exhibit 8: Pages 1, 6, and 7 of an initialled residential tenancy agreement for 24 St. Mary's Street dated April 1, 2012
- Exhibit 9: Applicant's invoice number 101251 regarding 24 St. Mary's Street dated January 30, 2015
- Exhibit 10: Tenant damage estimate dated September 15, 2014
- Exhibit 11: Applicant's work order number 014502 dated January 30, 2015
- Exhibit 12: Set of 13 photographs
- Exhibit 13: Pages 1, 6, and 7 of an un-initialled residential tenancy agreement for 24 St. Mary's Street dated April 1, 2012
- Exhibit 14: Signed residential tenancy agreement for 24 St. Mary's Street dated March 10, 2011
- Exhibit 15: Check-in inspection report for 24 St. Mary's Street dated March 10, 2011
- Exhibit 16: Check-out inspection report for 24 St. Mary's Street dated July 7, 2014
- Exhibit 17: Lease balance statement printed November 2, 2015
- Exhibit 18: Applicant's correspondences to respondent dated: August 31, 2015 (x2); August 17, 2015