

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant,
and **William Sangris**, 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 **community of Dettah in the Northwest
Territories.**

BETWEEN:

NORTHWEST TERRITORIES HOUSING CORPORATION

Applicant/Landlord

- and -

WILLIAM SANGRIS

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 \$22,112.17 (twenty-two thousand one hundred twelve dollars seventeen cents).

DATED at the City of Yellowknife in the Northwest Territories this 17th day of
November 2015.

Adelle Guigon
Deputy Rental Officer

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REASONS FOR DECISION

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|---------------------------------------|---|
| <u>Date of the Hearing:</u> | October 28, 2015 |
| <u>Place of the Hearing:</u> | Yellowknife, Northwest Territories |
| <u>Appearances at Hearing:</u> | Rose Black, representing the applicant |
| <u>Date of Decision:</u> | October 28, 2015 |

REASONS FOR DECISION

An application to a rental officer made by Yellowknives Dene First Nation - Housing Division as the applicant/landlord against William Sangris as the respondent/tenant was filed by the Rental Office August 26, 2015. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premises known as Unit 107 in Dettah, Northwest Territories. The applicant personally served a copy of the filed application on the respondent September 16, 2015.

The applicant alleged the respondent had accumulated rental arrears and repeatedly failed to report household income as required. An order was sought for payment of the rental arrears, for future rent to be paid on time, for household income to be reported as required, and termination of the tenancy agreement. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for October 28, 2015, in Yellowknife, Northwest Territories. Ms. Rose Black appeared representing the applicant. Mr. William Sangris was sent a notice of attendance by registered mail deemed served October 14, 2015, pursuant to section 71(5) of the *Residential Tenancies Act* (the Act). Mr. Sangris did not appear at hearing, nor did anyone appear on his behalf. The hearing proceeded in his absence pursuant to section 80(2) of the Act.

Preliminary matters

The application to a rental officer identified Yellowknives Dene First Nation - Housing Division as the landlord. The written tenancy agreement identified Northwest Territories Housing Corporation as the landlord with Yellowknives Dene First Nation as its agent. Ms. Black agreed at hearing that the application should appropriately recognize Northwest Territories Housing Corporation as the landlord. The application and style of cause going forward will identify Northwest Territories Housing Corporation as the landlord.

Tenancy agreement

The residential tenancy agreements entered into evidence establish an agreement between the parties for subsidized public housing commencing November 1, 2001. The rental premises was identified as Unit 107 in Dettah, Northwest Territories. The maximum monthly rent of \$1,729 came into effect as of April 1, 2009. I am satisfied a valid tenancy agreement was in place for subsidized public housing between the parties in accordance with 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 respondent's rent account. I am satisfied the tenant ledger cards accurately reflect the current status of the respondent's rent account.

The tenant ledger cards indicate that the rental arrears have accumulated significantly and progressively since 2002. I am satisfied the respondent has repeatedly failed to pay the full amount of rent when due.

Reporting of household income

Section 6 of the tenancy agreement specifies a tenant must report their total household income whenever and as often as requested by the landlord. Reporting was established to be required on a monthly basis. Ms. Black testified, and the tenant ledger cards and correspondences corroborate, that Mr. Sangris has repeatedly failed to report his household income on a regular basis throughout the tenancy and that the reports for June to September 2015 are outstanding. As such, and in accordance with section 7 of the tenancy agreement, Mr. Sangris has been charged the maximum monthly rent for the months of July to October 2015. I am satisfied the respondent has failed to comply with his obligation to report household income as required and that the application of maximum monthly rent for July to October 2015 is appropriate.

I find the respondent has accumulated rental arrears in the amount of \$22,112.17.

Termination of tenancy agreement

Ms. Black advised at hearing that the respondent had in fact vacated the rental premises as of October 22, 2015. As such, the request to terminate the tenancy agreement was withdrawn.

Order

An order will issue requiring Mr. William Sangris to pay rental arrears in the amount of \$22,112.17.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Applicant's correspondences to respondent dated: August 21, 2015; July 2, 2015; May 28, 2015; January 13, 2015;

Exhibit 2: Tenant ledger cards for rent from November 1, 2001, to August 1, 2015

Exhibit 3: Residential tenancy agreements dated: April 1, 2012; April 1, 2010; April 1, 2009; April 1, 2008, April 1, 2007; November 1, 2001

Exhibit 4: Rose Black's notes to file dated from February 13 to 26, 2015

Exhibit 5: Applicant's contract record dated August 25, 2015

Exhibit 6: Applicant's correspondence to Rental Office dated October 26, 2015

Exhibit 7: Tenant ledger card for rent from April 1 to October 1, 2015