

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant,
and **John Day, Sally Day, and John Richard Day**, 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 **town of Inuvik in the Northwest
Territories.**

BETWEEN:

NORTHWEST TERRITORIES HOUSING CORPORATION

Applicant/Landlord

- and -

JOHN DAY, SALLY DAY, and JOHN RICHARD DAY

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 \$1,792.24 (one thousand seven hundred ninety-two dollars twenty-four cents).

DATED at the City of Yellowknife in the Northwest Territories this 9th day of February
2016.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Northwest Territories Housing Corporation**, Applicant,
and **John Day, Sally Day, and John Richard Day**, Respondents.

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Applicant/Landlord

-and-

JOHN DAY, SALLY DAY, and JOHN RICHARD DAY

Respondents/Tenants

REASONS FOR DECISION

<u>Date of the Hearing:</u>	January 26, 2016
<u>Place of the Hearing:</u>	Inuvik, Northwest Territories, by teleconference
<u>Appearances at Hearing:</u>	Kim Burns, representing the applicant
<u>Date of Decision:</u>	January 26, 2016

REASONS FOR DECISION

An application to a rental officer made by Inuvik Housing Authority on behalf of the Northwest Territories Housing Corporation as the applicant/landlord against John Day, Sally Day, and John Richard Day as the respondents/tenants was filed by the Rental Office November 20, 2015. The application was made regarding a subsidized public housing residential tenancy agreement for a rental premises located in Inuvik, Northwest Territories. The applicant personally served a copy of the filed application on the respondents December 10, 2015.

The applicant alleged the respondents had accumulated rental arrears and sought an order for payment. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for January 26, 2016, in Inuvik, Northwest Territories. The rental officer appeared by teleconference. Ms. Kim Burns appeared representing the applicant. Mr. John Day, Ms. Sally Day, and Mr. John Richard Day were sent notices of attendance by registered mail signed for December 24, 2015. None of the respondents appeared at hearing, nor did anyone appear on their behalf. The hearing proceeded in their absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Tenancy agreement

The written tenancy agreement entered into evidence established an agreement between the parties for subsidized public housing commencing April 1, 2012. The exit inspection report corroborates the applicant's submission that the respondents vacated the rental premises July 10, 2015. I am satisfied a valid tenancy agreement was in place between the parties for subsidized public housing 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 respondents' rent account. I am satisfied the lease balance statements accurately reflect the current status of the respondents' rent account. The statements indicate rental arrears in the amount of \$1,792.24. The last payment was made January 8, 2016, in the amount of \$192. The respondents John Day and Sally Day signed an agreement to pay dated December 10, 2015, acknowledging the rental arrears at the time of \$1,984.24 and agreeing to make monthly payments in the amount of \$192; they have complied with the terms of that agreement to date. I am satisfied the respondents have accumulated rental arrears and find them in breach of their obligation to pay the full amount of their rent when due.

Order

An order will issue requiring the respondents to pay rental arrears in the amount \$1,792.24.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

- Exhibit 1: Lease balance statement printed November 2, 2015
- Exhibit 2: Damage deposit refund statement
- Exhibit 3: Applicant's invoice number 14541 dated September 25, 2015
- Exhibit 4: Residential tenancy agreement dated March 21, 2012
- Exhibit 5: Tenant in inspection report dated April 13, 2010
- Exhibit 6: Tenant out inspection report dated July 10, 2015
- Exhibit 7: DVD of 57 digital photographs
- Exhibit 8: Lease balance statement printed January 25, 2016
- Exhibit 9: Agreement to pay - promissory note dated December 10, 2015